

# Application for a §1915 (c) HCBS Waiver

## HCBS Waiver Application Version 3.5

Includes Changes Implemented through May 2014

### Submitted by:

Utah Department of Health, Division of Medicaid and Health Financing

Submission Date: ~~July~~ March 1~~XX~~, 2016~~20~~

CMS Receipt Date (CMS Use)

Describe any significant changes to the approved waiver that are being made in this renewal application:

~~The purpose of this amendment is to correct unduplicated and point in time estimates to be reflective of individuals being served by the waiver program. The Point In Time Limit will decrease over the course of WY3 based on attrition. Participants will not be discharged from the waiver in order to meet point in time estimates. Appendix J has also been updated to reflect the current number of waiver participants.~~

~~-limitations to service codes and updates to service scope of work~~

~~-licensure requirements~~

~~-adjustments to community transition services~~

~~-removal of attendant training services~~

~~-addition of GPS for SMESAT & requirements for authorization/use of devices~~

~~-supplemental meals (pre-packaged)/licensure requirements~~

~~-provider enrollment information updated~~

~~-eligibility updates to describe continued program enrollment when out-of-state stays exceed 90 days~~

~~-application updates to include changes in terminology and processes~~

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# Application for a §1915(c) Home and Community-Based Services Waiver

## ***PURPOSE OF THE HCBS WAIVER PROGRAM***

The Medicaid Home and Community-Based Services (HCBS) waiver program is authorized in §1915(c) of the Social Security Act. The program permits a State to furnish an array of home and community-based services that assist Medicaid beneficiaries to live in the community and avoid institutionalization. The Centers for Medicare & Medicaid Services (CMS) recognizes that the design and operational features of a waiver program will vary depending on the specific needs of the target population, the resources available to the State, service delivery system structure, State goals and objectives, and other factors.

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## 1. Request Information

A. The State of **Utah** requests approval for a Medicaid home and community-based services (HCBS) waiver under the authority of §1915(c) of the Social Security Act (the Act).

B. **Program Title** (optional – this title will be used to locate this waiver in the finder): Waiver for Individuals Age 65 or older

C. **Type of Request:** (the system will automatically populate new, amendment, or renewal)

**Requested Approval Period:** (For new waivers requesting five year approval periods, the waiver must serve individuals who are dually eligible for Medicaid and Medicare.)

<input type="radio"/>	3 years
<input checked="" type="radio"/>	5 years

<input type="checkbox"/>	<b>New to replace waiver</b> Replacing Waiver Number: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 20px; vertical-align: middle;"></span>
<input type="checkbox"/>	<b>Migration Waiver</b> – this is an existing approved waiver Provide the information about the original waiver being migrated
	<b>Base Waiver Number:</b> <span style="border: 1px solid black; padding: 2px;">UT.0247</span>
	<b>Amendment Number</b> (if applicable): <span style="border: 1px solid black; padding: 2px;">UT.0247.R05.00</span>
	<b>Effective Date:</b> (mm/dd/yy) <span style="border: 1px solid black; padding: 2px;">07/01/15</span>

D. **Type of Waiver** (select only one):

<input type="radio"/>	Model Waiver
<input checked="" type="radio"/>	Regular Waiver

E. **Proposed Effective Date:** July 1, 20~~20~~15

**Approved Effective Date** (CMS Use):

F. **Level(s) of Care.** This waiver is requested in order to provide home and community-based waiver services to individuals who, but for the provision of such services, would require the following level(s) of care, the costs of which would be reimbursed under the approved Medicaid State plan (check each that applies):

<input type="checkbox"/>	<b>Hospital</b> (select applicable level of care)
<input type="radio"/>	<b>Hospital as defined in 42 CFR §440.10</b> If applicable, specify whether the State additionally limits the waiver to subcategories of the hospital level of care:

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	<input type="radio"/>	<b>Inpatient psychiatric facility for individuals under age 21 as provided in 42 CFR § 440.160</b>
X		<b>Nursing Facility</b> <i>(select applicable level of care)</i>
	X	<b>Nursing Facility as defined in 42 CFR §440.40 and 42 CFR §440.155</b> If applicable, specify whether the State additionally limits the waiver to subcategories of the nursing facility level of care:
	<input type="radio"/>	<b>Facility for Mental Disease for persons with mental illnesses aged 65 and older as provided in 42 CFR §440.140</b>
<input type="checkbox"/>		<b>Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) (as defined in 42 CFR §440.150)</b> If applicable, specify whether the State additionally limits the waiver to subcategories of the ICF/IID facility level of care:

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**G. Concurrent Operation with Other Programs.** This waiver operates concurrently with another program (or programs) approved under the following authorities

Select one:

<input checked="" type="radio"/>	Not applicable		
<input type="radio"/>	Applicable		
Check the applicable authority or authorities:			
<input type="checkbox"/>	Services furnished under the provisions of §1915(a)(1)(a) of the Act and described in Appendix I		
<input type="checkbox"/>	<b>Waiver(s) authorized under §1915(b) of the Act.</b> <i>Specify the §1915(b) waiver program and indicate whether a §1915(b) waiver application has been submitted or previously approved:</i>		
Specify the §1915(b) authorities under which this program operates ( <i>check each that applies</i> ):			
<input type="checkbox"/>	§1915(b)(1) (mandated enrollment to managed care)	<input type="checkbox"/>	§1915(b)(3) (employ cost savings to furnish additional services)
<input type="checkbox"/>	§1915(b)(2) (central broker)	<input type="checkbox"/>	§1915(b)(4) (selective contracting/limit number of providers)
<input type="checkbox"/>	<b>A program operated under §1932(a) of the Act.</b> <i>Specify the nature of the State Plan benefit and indicate whether the State Plan Amendment has been submitted or previously approved:</i>		
<input type="checkbox"/>	A program authorized under §1915(i) of the Act.		
<input type="checkbox"/>	A program authorized under §1915(j) of the Act.		
<input type="checkbox"/>	<b>A program authorized under §1115 of the Act.</b> <i>Specify the program:</i>		

**H. Dual Eligibility for Medicaid and Medicare.**

Check if applicable:

<input checked="" type="checkbox"/>	This waiver provides services for individuals who are eligible for both Medicare and Medicaid.
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## 2. Brief Waiver Description

**Brief Waiver Description.** *In one page or less*, briefly describe the purpose of the waiver, including its goals, objectives, organizational structure (e.g., the roles of state, local and other entities), and service delivery methods.

The purpose of the waiver for Individuals Age 65 or Older (t)hereafter referred to as the Aging Waiver) is to offer services to individuals age 65 or older that meet the eligibility criteria of the waiver. The waiver gives this population the option to remain in a home and community based setting of their choice rather than a facility.

The Department of Health, Division of Medicaid and Health Financing, is the Administrative Agency for this waiver while the Department of Human Services, Division of Aging and Adult Services (DAAS), is the Operating Agency (OA). The functions of both of these agencies are specified in Appendix A of this application. DAAS in turn contracts with eleven Area Agencies on Aging (AAA) to assist them in their activities.

The Aging Wwaiver offers both consumer directed services, as well as the traditional method of service delivery.

The Point In Time Limit will decrease over the course of WY3 based on attrition. Participants will not be discharged from the waiver in order to meet point-in-time estimates.

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### 3. Components of the Waiver Request

The waiver application consists of the following components. *Note: Item 3-E must be completed.*

- A. **Waiver Administration and Operation.** Appendix A specifies the administrative and operational structure of this waiver.
- B. **Participant Access and Eligibility.** Appendix B specifies the target group(s) of individuals who are served in this waiver, the number of participants that the State expects to serve during each year that the waiver is in effect, applicable Medicaid eligibility and post-eligibility (if applicable) requirements, and procedures for the evaluation and reevaluation of level of care.
- C. **Participant Services.** Appendix C specifies the home and community-based waiver services that are furnished through the waiver, including applicable limitations on such services.
- D. **Participant-Centered Service Planning and Delivery.** Appendix D specifies the procedures and methods that the State uses to develop, implement and monitor the participant-centered service plan (of care).
- E. **Participant-Direction of Services.** When the State provides for participant direction of services, Appendix E specifies the participant direction opportunities that are offered in the waiver and the supports that are available to participants who direct their services. (*Select one*):

<input checked="" type="radio"/>	<b>Yes. This waiver provides participant direction opportunities.</b> <i>Appendix E is required.</i>
<input type="radio"/>	<b>No. This waiver does not provide participant direction opportunities.</b> <i>Appendix E is not required.</i>

- F. **Participant Rights.** Appendix F specifies how the State informs participants of their Medicaid Fair Hearing rights and other procedures to address participant grievances and complaints.
- G. **Participant Safeguards.** Appendix G describes the safeguards that the State has established to assure the health and welfare of waiver participants in specified areas.
- H. **Quality Improvement Strategy.** Appendix H contains the Quality Improvement Strategy for this waiver.
- I. **Financial Accountability.** Appendix I describes the methods by which the State makes payments for waiver services, ensures the integrity of these payments, and complies with applicable federal requirements concerning payments and federal financial participation.
- J. **Cost-Neutrality Demonstration.** Appendix J contains the State's demonstration that the waiver is cost-neutral.

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## 4. Waiver(s) Requested

- A. Comparability.** The State requests a waiver of the requirements contained in §1902(a)(10)(B) of the Act in order to provide the services specified in **Appendix C** that are not otherwise available under the approved Medicaid State plan to individuals who: (a) require the level(s) of care specified in Item 1.F and (b) meet the target group criteria specified in **Appendix B**.
- B. Income and Resources for the Medically Needy.** Indicate whether the State requests a waiver of §1902(a)(10)(C)(i)(III) of the Act in order to use institutional income and resource rules for the medically needy (*select one*):

<input type="radio"/>	<b>Not Applicable</b>
<input type="radio"/>	<b>No</b>
<input checked="" type="radio"/>	<b>Yes</b>

- C. Statewide.** Indicate whether the State requests a waiver of the state wideeness requirements in §1902(a)(1) of the Act (*select one*):

<input checked="" type="radio"/>	<b>No</b>
<input type="radio"/>	<b>Yes</b>

If yes, specify the waiver of state wideeness that is requested (*check each that applies*):

<input type="checkbox"/>	<p><b>Geographic Limitation.</b> A waiver of statewide is requested in order to furnish services under this waiver only to individuals who reside in the following geographic areas or political subdivisions of the State.</p> <p><i>Specify the areas to which this waiver applies and, as applicable, the phase-in schedule of the waiver by geographic area:</i></p>
<input type="checkbox"/>	<p><b>Limited Implementation of Participant-Direction.</b> A waiver of state wideeness is requested in order to make <i>participant direction of services</i> as specified in <b>Appendix E</b> available only to individuals who reside in the following geographic areas or political subdivisions of the State. Participants who reside in these areas may elect to direct their services as provided by the State or receive comparable services through the service delivery methods that are in effect elsewhere in the State.</p> <p><i>Specify the areas of the State affected by this waiver and, as applicable, the phase-in schedule of the waiver by geographic area:</i></p>

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## 5. Assurances

In accordance with 42 CFR §441.302, the State provides the following assurances to CMS:

- A. Health & Welfare:** The State assures that necessary safeguards have been taken to protect the health and welfare of persons receiving services under this waiver. These safeguards include:
1. As specified in **Appendix C**, adequate standards for all types of providers that provide services under this waiver;
  2. Assurance that the standards of any State licensure or certification requirements specified in **Appendix C** are met for services or for individuals furnishing services that are provided under the waiver. The State assures that these requirements are met on the date that the services are furnished; and,
  3. Assurance that all facilities subject to §1616(e) of the Act where home and community-based waiver services are provided comply with the applicable State standards for board and care facilities as specified in **Appendix C**.
- B. Financial Accountability.** The State assures financial accountability for funds expended for home and community-based services and maintains and makes available to the Department of Health and Human Services (including the Office of the Inspector General), the Comptroller General, or other designees, appropriate financial records documenting the cost of services provided under the waiver. Methods of financial accountability are specified in **Appendix I**.
- C. Evaluation of Need:** The State assures that it provides for an initial evaluation (and periodic reevaluations, at least annually) of the need for a level of care specified for this waiver, when there is a reasonable indication that an individual might need such services in the near future (one month or less) but for the receipt of home and community-based services under this waiver. The procedures for evaluation and reevaluation of level of care are specified in **Appendix B**.
- D. Choice of Alternatives:** The State assures that when an individual is determined to be likely to require the level of care specified for this waiver and is in a target group specified in **Appendix B**, the individual (or, legal representative, if applicable) is:
1. Informed of any feasible alternatives under the waiver; and,
  2. Given the choice of either institutional or home and community-based waiver services.
- Appendix B** specifies the procedures that the State employs to ensure that individuals are informed of feasible alternatives under the waiver and given the choice of institutional or home and community-based waiver services.
- E. Average Per Capita Expenditures:** The State assures that, for any year that the waiver is in effect, the average per capita expenditures under the waiver will not exceed 100 percent of the average per capita expenditures that would have been made under the Medicaid State plan for the level(s) of care specified for this waiver had the waiver not been granted. Cost-neutrality is demonstrated in **Appendix J**.
- F. Actual Total Expenditures:** The State assures that the actual total expenditures for home and community-based waiver and other Medicaid services and its claim for FFP in expenditures for the services provided to individuals under the waiver will not, in any year of the waiver period, exceed 100 percent of the amount that would be incurred in the absence of the waiver by the State's Medicaid program for these individuals in the institutional setting(s) specified for this waiver.
- G. Institutionalization Absent Waiver:** The State assures that, absent the waiver, individuals served in the waiver would receive the appropriate type of Medicaid-funded institutional care for the level of care specified for this waiver.
- H. Reporting:** The State assures that annually it will provide CMS with information concerning the impact of the waiver on the type, amount and cost of services provided under the Medicaid State plan and on the health and welfare of waiver participants. This information will be consistent with a data collection plan designed by CMS.

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- I. Habilitation Services.** The State assures that prevocational, educational, or supported employment services, or a combination of these services, if provided as habilitation services under the waiver are: (1) not otherwise available to the individual through a local educational agency under the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) or the Rehabilitation Act of 1973; and, (2) furnished as part of expanded habilitation services.
- J. Services for Individuals with Chronic Mental Illness.** The State assures that federal financial participation (FFP) will not be claimed in expenditures for waiver services including, but not limited to, day treatment or partial hospitalization, psychosocial rehabilitation services, and clinic services provided as home and community-based services to individuals with chronic mental illnesses if these individuals, in the absence of a waiver, would be placed in an IMD and are: (1) age 22 to 64; (2) age 65 and older and the State has not included the optional Medicaid benefit cited in 42 CFR §440.140; or (3) age 21 and under and the State has not included the optional Medicaid benefit cited in 42 CFR §440.160.

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## 6. Additional Requirements

*Note: Item 6-I must be completed.*

- A. Service Plan.** In accordance with 42 CFR §441.301(b)(1)(i), a participant-centered service plan (of care) is developed for each participant employing the procedures specified in **Appendix D**. All waiver services are furnished pursuant to the service plan. The service plan describes: (a) the waiver services that are furnished to the participant, their projected frequency and the type of provider that furnishes each service and (b) the other services (regardless of funding source, including State plan services) and informal supports that complement waiver services in meeting the needs of the participant. The service plan is subject to the approval of the Medicaid agency. Federal financial participation (FFP) is not claimed for waiver services furnished prior to the development of the service plan or for services that are not included in the service plan.
- B. Inpatients.** In accordance with 42 CFR §441.301(b)(1)(ii), waiver services are not furnished to individuals who are in-patients of a hospital, nursing facility or ICF/IID.
- C. Room and Board.** In accordance with 42 CFR §441.310(a)(2), FFP is not claimed for the cost of room and board except when: (a) provided as part of respite services in a facility approved by the State that is not a private residence or (b) claimed as a portion of the rent and food that may be reasonably attributed to an unrelated caregiver who resides in the same household as the participant, as provided in **Appendix I**.
- D. Access to Services.** The State does not limit or restrict participant access to waiver services except as provided in **Appendix C**.
- E. Free Choice of Provider.** In accordance with 42 CFR §431.151, a participant may select any willing and qualified provider to furnish waiver services included in the service plan unless the State has received approval to limit the number of providers under the provisions of §1915(b) or another provision of the Act.
- F. FFP Limitation.** In accordance with 42 CFR §433 Subpart D, FFP is not claimed for services when another third-party (e.g., another third party health insurer or other federal or state program) is legally liable and responsible for the provision and payment of the service. FFP also may not be claimed for services that are available without charge, or as free care to the community. Services will not be considered to be without charge, or free care, when (1) the provider establishes a fee schedule for each service available and (2) collects insurance information from all those served (Medicaid, and non-Medicaid), and bills other legally liable third party insurers. Alternatively, if a provider certifies that a particular legally liable third party insurer does not pay for the service(s), the provider may not generate further bills for that insurer for that annual period.
- G. Fair Hearing:** The State provides the opportunity to request a Fair Hearing under 42 CFR §431 Subpart E, to individuals: (a) who are not given the choice of home and community-based waiver services as an alternative to institutional level of care specified for this waiver; (b) who are denied the service(s) of their choice or the provider(s) of their choice; or (c) whose services are denied, suspended, reduced or terminated. **Appendix F** specifies the State's procedures to provide individuals the opportunity to request a Fair Hearing, including providing notice of action as required in 42 CFR §431.210.
- H. Quality Improvement.** The State operates a formal, comprehensive system to ensure that the waiver meets the assurances and other requirements contained in this application. Through an ongoing process of discovery, remediation and improvement, the State assures the health and welfare of participants by monitoring: (a) level of care determinations; (b) individual plans and services delivery; (c) provider qualifications; (d) participant health and welfare; (e) financial oversight and (f) administrative oversight of the waiver. The State further assures that all problems identified through its discovery processes are addressed in an appropriate and timely manner, consistent with the severity and nature of the problem.

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During the period that the waiver is in effect, the State will implement the Quality Improvement Strategy specified throughout the application and in **Appendix H**.

**I. Public Input.** Describe how the State secures public input into the development of the waiver:

The SMA together with the Division of Aging and Adult Services (DAAS) prepared an initial draft of the waiver renewal application in September 2019. The SMA and DAAS then convened a workgroup in December 2019 to discuss potential improvements and updates to the Waiver program. Updates to the renewal application were then crafted based on feedback from the workgroup.

Beginning February 26, 2020, and for 30 days thereafter, a copy of the draft State Implementation Plan was posted online at <http://medicaid.utah.gov/ltc>. Public comment was accepted by mail, fax and online submission. In addition, the State presented information on the waiver amendment to the Utah Indian Health Advisory Board (UIHAB) on January 10, 2020. The UIHAB represents all federally recognized Tribal Governments within the State. Additionally, a summary of the changes was supplied to the Medical Care Advisory Committee (MCAC) during their December meeting. Information on the renewal was published in the newspaper with instructions on how a copy of the implementation plan could be requested and how comment may be submitted. Hard copies were also made available at the Department of Health.

The State Medicaid Agency (State) completed the initial draft in . On the State conferred with the Utah Indian Health Advisory Board (UIHAB). On ???, the State posted the proposed amendment in its entirety on the State Medicaid Agency's website (at <http://www.health.utah.gov/ltc/>) and published a notification in the newspaper in an effort to make the public aware of the amendment, to solicit public comment from a broad network of consumers, advocates, providers and other stakeholders and to provide instructions for how to submit comments. Methods through which comments could be submitted included website submission using the website listed above, written submission via USPS mail and fax. The public comment period was 30 days from to . On ???, the State provided an executive summary detailing the proposed changes to the Medical Care Advisory Committee (MCAC). On ???, a State representative attended the monthly MCAC meeting in person to answer any questions from the committee. Following these efforts, the State did not receive any comments so no further revisions were considered or made prior to submission of the amendment to CMS. Where the State believes the changes being requested through this amendment are non-substantive, the State did not seek public input.

**J. Notice to Tribal Governments.** The State assures that it has notified in writing all federally-recognized Tribal Governments that maintain a primary office and/or majority population within the State of the State's intent to submit a Medicaid waiver request or renewal request to CMS at least 60 days before the anticipated submission date as provided by Presidential Executive Order 13175 of November 6, 2000. Evidence of the applicable notice is available through the Medicaid Agency.

**K. Limited English Proficient Persons.** The State assures that it provides meaningful access to waiver services by Limited English Proficient persons in accordance with: (a) Presidential Executive Order 13166 of August 11, 2000 (65 FR 50121) and (b) Department of Health and Human Services "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (68 FR 47311 - August 8, 2003). **Appendix B** describes how the State assures meaningful access to waiver services by Limited English Proficient persons.

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## 7. Contact Person(s)

- A. The Medicaid agency representative with whom CMS should communicate regarding the waiver is:

<b>Last Name:</b>	Bagley				
<b>First Name:</b>	Kevin				
<b>Title:</b>	Director, Bureau of Authorization and Community Based Services				
<b>Agency:</b>	Department of Health, Division of Medicaid and Health Financing				
<b>Address :</b>	PO Box 143112				
<b>Address 2:</b>					
<b>City:</b>	Salt Lake City				
<b>State:</b>	UT				
<b>Zip:</b>	84114-3112				
<b>Phone:</b>	801-538-9144	<b>Ext:</b>		<input type="checkbox"/>	<b>TTY</b>
<b>Fax:</b>	801-538-6412				
<b>E-mail:</b>	<a href="mailto:klbagley@utah.gov">klbagley@utah.gov</a>				

- B. If applicable, the State operating agency representative with whom CMS should communicate regarding the waiver is:

<b>Last Name:</b>	Nels				
<b>First Name:</b>	Holmgren				
<b>Title:</b>	Director				
<b>Agency:</b>	Division of Aging and Adult Services				
<b>Address:</b>	195 North 1950 West				
<b>Address 2:</b>					
<b>City:</b>	Salt Lake City				
<b>State:</b>	UT				
<b>Zip :</b>	84116				
<b>Phone:</b>	801-538-3921	<b>Ext:</b>		<input type="checkbox"/>	<b>TTY</b>
<b>Fax:</b>	801-538-6495				
<b>E-mail:</b>	<a href="mailto:nholmgren@utah.gov">nholmgren@utah.gov</a>				

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## 8. Authorizing Signature

This document, together with Appendices A through J, constitutes the State's request for a waiver under §1915(c) of the Social Security Act. The State assures that all materials referenced in this waiver application (including standards, licensure and certification requirements) are ***readily*** available in print or electronic form upon request to CMS through the Medicaid agency or, if applicable, from the operating agency specified in Appendix A. Any proposed changes to the waiver will be submitted by the Medicaid agency to CMS in the form of waiver amendments.

Upon approval by CMS, the waiver application serves as the State's authority to provide home and community-based waiver services to the specified target groups. The State attests that it will abide by all provisions of the approved waiver and will continuously operate the waiver in accordance with the assurances specified in Section 5 and the additional requirements specified in Section 6 of the request.

**Signature:**

\_\_\_\_\_

State Medicaid Director or Designee

**Submission  
Date:**

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**Note: The Signature and Submission Date fields will be automatically completed when the State Medicaid Director submits the application.**

<b>Last Name:</b>	Checketts			
<b>First Name:</b>	Nate			
<b>Title:</b>	Deputy Director			
<b>Agency:</b>	Department of Health, Director, Division of Medicaid and Health Financing			
<b>Address:</b>	PO Box 143101			
<b>Address 2:</b>				
<b>City:</b>	Salt Lake City			
<b>State:</b>	UT			
<b>Zip:</b>	84114-3101			
<b>Phone:</b>	801-538-6043	<b>Ext:</b>		<input type="checkbox"/> <b>TTY</b>
<b>Fax:</b>	801-538-6860			
<b>E-mail:</b>	<a href="mailto:nchecketts@utah.gov">nchecketts@utah.gov</a>			

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**Attachment #1: Transition Plan**

Specify the transition plan for the waiver:

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## Attachment #2: Home and Community-Based Settings Waiver Transition Plan

Specify the state's process to bring this waiver into compliance with federal home and community-based (HCB) settings requirements at 42 CFR 441.301(c)(4)-(5), and associated CMS guidance.

*Consult with CMS for instructions before completing this item. This field describes the status of a transition process at the point in time of submission. Relevant information in the planning phase will differ from information required to describe attainment of milestones.*

*To the extent that the state has submitted a statewide HCB settings transition plan to CMS, the description in this field may reference that statewide plan. The narrative in this field must include enough information to demonstrate that this waiver complies with federal HCB settings requirements, including the compliance and transition requirements at 42 CFR 441.301(c)(6), and that this submission is consistent with the portions of the statewide HCB settings transition plan that are germane to this waiver. Quote or summarize germane portions of the statewide HCB settings transition plan as required.*

*Note that Appendix C-5 HCB Settings describes settings that do not require transition; the settings listed there meet federal HCB setting requirements as of the date of submission. Do not duplicate that information here.*

*Update this field and Appendix C-5 when submitting a renewal or amendment to this waiver for other purposes. It is not necessary for the state to amend the waiver solely for the purpose of updating this field and Appendix C-5. At the end of the state's HCB settings transition process for this waiver, when all waiver settings meet federal HCB setting requirements, enter "Completed" in this field, and include in Section C-5 the information on all HCB settings in the waiver.*

The SMA will complete the HCBS Settings Transition Plan for the Aging Waiver in a manner consistent with the overall approach developed and submitted to CMS in the Statewide HCBS Transition Plan. The Statewide HCBS Transition Plan ~~will be submitted to CMS on March 17, 2015, was granted initial approval by CMS on April 5, 2017 and the State received final approval on June 7<sup>th</sup>, 2019. will submit an updated Transition Plan to CMS for final approval in 20198.~~

An overview of this plan is as follows:

Public Notice and Comment Process:

1. Following the development/posting of ~~the initial~~each updated version of the plan on October 22, 2014 the SMA accepted ~~s~~ed public comment ~~through December 1, 2014.~~
2. Based on the feedback received, the SMA ~~has~~ completed revisions to the ~~draft~~ plan. A revised draft was posted for comment on February 2, 2015. Comment will be accepted for an additional 30 day period and will end on March 5, 2015. Any future iterations of the plan will be made available for public comment for a minimum of 30 days with notice provided through various channels including:

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Newspaper articles; online forums such as emails/listservs/websites as well as hard copies.

~~The State will solicit public input on assessment and remediation tools as they are developed.~~

~~The SMA will retain and summarize all public comment received and modify the Transition Plan as it deems appropriate. These summaries are provided to CMS with an explanation of whether comments received led to modifications in the Transition Plan.~~

#### Assessment Process:

1. The SMA ~~has~~will ~~established~~ a Workgroup that will continue to meet periodically to review draft documents, including evaluations tools, interim reports and progress through the stages of the Transition Plan. This group ~~is~~was~~will be~~ used to reach out to a broader group of stakeholders for feedback and to assist in the participation of public comment opportunities. ~~The first meeting of this group is scheduled to be held on February 25, 2015.~~
2. The SMA conducted a review of HCBS Waiver sites of services and made preliminary categorization. The SMA has reported the results of the review of AW providers in the ***Additional Needed Information (Optional)*** section below.
3. State ~~will send~~sent an informational letter to providers that describes appropriate HCBS setting requirements, transition plan assessment steps that will include State review and provider self-assessment. Letter ~~will~~described provider's ability to remediate issues to come into compliance within deadlines and that technical assistance will be available throughout the process.
4. Utilizing tools from the CMS HCBS Settings Review Toolkit, The SMA ~~has~~will completed ~~an initial~~a categorization of settings to determine sites likely to be Fully Compliant, Not Yet Compliant or Not Compliant with HCBS characteristics. ~~This process will include determining sites that are presumed to have institution like qualities. These sites will be identified as requiring heightening scrutiny.~~
5. The SMA ~~will~~created a Provider Self-Assessment Tool which ~~will~~included questions to identify sites that may be presumed to have institutional like qualities. Providers categorized as Not Yet Compliant or Not Compliant ~~will be~~were required to complete and submit the results of their self-assessment to the SMA.
- ~~5.6.~~6. ~~The SMA validated Provider Self-Assessments through on-site reviews. The State visited a stratified random sample of providers categorized as Not Yet Compliant or Not Compliant settings.~~
7. The SMA will modify tools used in contract/certification/licensing reviews of providers categorized as Not Yet Compliant or Not Compliant as well as for periodic reviews of existing and new providers to ensure compliance with the HCBS settings requirements. Tools will be modified to review compliance of enrolled providers on an ongoing basis thereafter.
- ~~6.8.~~8. ~~The SMA has compiled a formal report in which the Provider Self-Assessment results are summarized by setting type, to which has been made available for a 30 day public comment period. The report includes the number of settings that are compliant, can be compliant, and are presumed to have institutional qualities or characteristics that isolate.~~

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9. A final categorization Compliant/Not Yet Compliant (including those requiring heightened scrutiny)/Not Compliant will be completed for all providers. Notification of these results will be given to each provider.

7.10. The SMA will compile a formal report in which the Provider Self-Assessment results are summarized by setting type, to be made available for a 30 day public comment period. The report will include the number of settings that are compliant, can be compliant, and are presumed to have institutional qualities or characteristics that isolate.

#### Remediation Strategies:

1. The SMA ~~has will~~ modified HCBS Waiver provider enrollment documents to provide education and assure compliance with HCBS setting requirements prior to enrolling new providers. This process ~~will~~ includes provider acknowledgement of the settings requirements. HCBS Provider Manuals will be revised to incorporate the settings requirements and clarify requirements in person-centered planning.
2. Based on the individual provider assessments the SMA, providers and stakeholders will collaborate to create a remediation plan for the provider, establish timelines and monitor progress made towards compliance.
3. For individual waiver clients, any modifications of conditions under 42 CFR §441.301 (c)(4)(vi)(A) through (D) are supported by a specific assessed need and justified in the individual client's person-centered service plan.
4. A determination/final disposition of sites identified as requiring heightened scrutiny will be completed.
5. The SMA ~~will has~~ created a system to track provider progress toward, and completion of, individual remediation plan(s). The system ~~has will have~~ the ability to show compliance by individual waiver and for all HCBS waiver programs.
6. Validation ~~On-site reviews~~ will be conducted for providers who have completed their remediation plans utilizing the compliance tools developed. The SMA will ~~disenroll and/or sanction~~ withhold payment and/or disenroll providers that have failed to develop and/or implement the individual provider remediation plan or those determined through the heightened scrutiny process to have institutional like qualities that cannot be remediated.

~~Quarterly updates will be provided to CMS, providers and stakeholders until the remediation strategies have been completed.~~

Utah assures that the settings transition plan included with this waiver renewal will be subject to any provisions or requirements included in the State's approved Statewide Transition Plan. Utah will implement any required changes upon approval of the Statewide Transition Plan and will make conforming changes to its waiver when it submits the next amendment or renewal.

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### Additional Needed Information (Optional)

Provide additional needed information for the waiver (optional):

The State conducted its preliminary categorization by describing services as either “presumed to be compliant” or “requires additional review”. In addition, a listing of provider types and the number of providers has been supplied to help assess the scope of the in-depth reviews that will occur in the upcoming months.

The Department of Health took a conservative approach when designating providers as “presumed to be compliant”. The State only identified services as “presumed to be compliant” when the services are not dependent on the setting and that are direct services provided to the waiver participant. In addition, providers that offer multiple types of services, were categorized as “requires additional review” if the provider had any possibility of providing a service that may not be compliant.

#### **Settings Requiring Additional Review: Community Based**

*Adult Day Health Services~~Care~~ (~~16-715~~ Providers)*

These services may be provided in settings that are not yet compliant. The state ~~has~~will conduct~~ed~~ additional evaluations of each provider and setting and is in the process of ~~to~~ determin~~ing~~ing whether the setting is compliant with new regulations, and identify what (if any) remediation steps will be required to bring the setting into compliance.

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## Appendix A: Waiver Administration and Operation

1. **State Line of Authority for Waiver Operation.** Specify the state line of authority for the operation of the waiver (*select one*):

<input type="radio"/>	The waiver is operated by the State Medicaid agency. Specify the Medicaid agency division/unit that has line authority for the operation of the waiver program ( <i>select one</i> ):	
<input type="radio"/>	The Medical Assistance Unit ( <i>specify the unit name</i> ) ( <i>Do not complete Item A-2</i> )	
<input type="radio"/>	Another division/unit within the State Medicaid agency that is separate from the Medical Assistance Unit. Specify the division/unit name. This includes administrations/divisions under the umbrella agency that has been identified as the Single State Medicaid Agency. ( <i>Complete item A-2-a</i> )	
<input checked="" type="radio"/>	The waiver is operated by a separate agency of the State that is not a division/unit of the Medicaid agency. Specify the division/unit name:	
	The Division of Aging and Adult Services	
	In accordance with 42 CFR §431.10, the Medicaid agency exercises administrative discretion in the administration and supervision of the waiver and issues policies, rules and regulations related to the waiver. The interagency agreement or memorandum of understanding that sets forth the authority and arrangements for this policy is available through the Medicaid agency to CMS upon request. ( <i>Complete item A-2-b</i> ).	

2. **Oversight of Performance.**

**a. Medicaid Director Oversight of Performance When the Waiver is operated by another Division/Unit within the State Medicaid Agency.** When the waiver is operated by another division/administration within the umbrella agency designated as the Single State Medicaid Agency. Specify (a) the functions performed by that division/administration (i.e., the Developmental Disabilities Administration within the Single State Medicaid Agency), (b) the document utilized to outline the roles and responsibilities related to waiver operation, and (c) the methods that are employed by the designated State Medicaid Director (in some instances, the head of umbrella agency) in the oversight of these activities.

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**b. Medicaid Agency Oversight of Operating Agency Performance.** When the waiver is not operated by the Medicaid agency, specify the functions that are expressly delegated through a memorandum of understanding (MOU) or other written document, and indicate the frequency of review and update for that document. Specify the methods that the Medicaid agency uses to ensure that the operating agency performs its assigned waiver operational and administrative functions in accordance with waiver requirements. Also specify the frequency of Medicaid agency assessment of operating agency performance:

An interagency agreement between the SMA and DAAS sets forth the respective responsibilities for the administration and operation of this waiver. This agreement runs for five year periods, but can be amended as needed.

The agreement delineates the SMA's overall responsibility to provide management and oversight of the waiver, as well as DAAS' operational and administrative functions.

The responsibilities of the operating agency are delegated as follows. Most of the responsibilities are shared with the SMA:

1. Program Development
2. Rate Setting and Fiscal Accountability
3. Program Coordination, Education and Outreach
4. HCBS Waiver Staffing Assurances
5. Eligibility Determination and Waiver Participation Assurances
6. Waiver Participant Participation in Decision Making
7. Hearings and Appeals
8. Monitoring, Quality Assurances and Quality Improvement
9. Reports

The SMA monitors the Interagency Agreement through a series of quality assurance activities, provides ongoing technical assistance and reviews and approves all rules, regulations and policies that govern the waiver operations. There is a formal program review conducted annually by the SMA's Quality Assurance (QA) Team~~team~~. If ongoing or formal annual reviews conducted by the SMA's Quality Assurance Team~~team~~ reveal concerns with compliance, DAAS is required to develop plans of correction within specific time frames to correct the QA team's findings. The Quality Assurance Team~~team~~ conducts follow up activities to ensure that corrections are sustaining.

- 3. Use of Contracted Entities.** Specify whether contracted entities perform waiver operational and administrative functions on behalf of the Medicaid agency and/or the operating agency (if applicable) (*select one*):

<input type="radio"/>	<p><b>Yes. Contracted entities perform waiver operational and administrative functions on behalf of the Medicaid agency and/or operating agency (if applicable).</b> Specify the types of contracted entities and briefly describe the functions that they perform. <i>Complete Items A-5 and A-6.</i></p>

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X	<b>No. Contracted entities do not perform waiver operational and administrative functions on behalf of the Medicaid agency and/or the operating agency (if applicable).</b>

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- 4. Role of Local/Regional Non-State Entities.** Indicate whether local or regional non-state entities perform waiver operational and administrative functions and, if so, specify the type of entity (*Select one*):

<input type="radio"/>	<b>Not applicable</b>
<input type="radio"/>	<b>Applicable</b> - Local/regional non-state agencies perform waiver operational and administrative functions. Check each that applies:
<input type="checkbox"/>	<p><b>Local/Regional non-state public agencies</b> conduct waiver operational and administrative functions at the local or regional level. There is an <b>interagency agreement or memorandum of understanding</b> between the Medicaid agency and/or the operating agency (when authorized by the Medicaid agency) and each local/regional non-state agency that sets forth the responsibilities and performance requirements of the local/regional agency. The interagency agreement or memorandum of understanding is available through the Medicaid agency or the operating agency (if applicable). <i>Specify the nature of these agencies and complete items A-5 and A-6:</i></p>
<input checked="" type="checkbox"/>	<p><b>Local/Regional non-governmental non-state entities</b> conduct waiver operational and administrative functions at the local or regional level. There is a contract between the Medicaid agency and/or the operating agency (when authorized by the Medicaid agency) and each local/regional non-state entity that sets forth the responsibilities and performance requirements of the local/regional entity. The <b>contract(s)</b> under which private entities conduct waiver operational functions are available to CMS upon request through the Medicaid agency or the operating agency (if applicable). <i>Specify the nature of these entities and complete items A-5 and A-6:</i></p> <p>Eleven Area Agencies on Aging (AAA), through a contract with the Division of Aging and Adult Services (DAAS), perform some Operating Agency functions. The AAA's responsibilities include disseminating information concerning the waiver to potential enrollees through a brochure, assisting individuals in waiver enrollment, managing waiver enrollment as limited by contract, monitoring waiver expenditures as limited by contract, conducting level of care evaluation activities, reviewing participant care plans to ensure that waiver requirements are met, recruiting providers and executing the Medicaid provider agreement.</p>

- 5. Responsibility for Assessment of Performance of Contracted and/or Local/Regional Non-State Entities.** Specify the state agency or agencies responsible for assessing the performance of contracted and/or local/regional non-state entities in conducting waiver operational and administrative functions:

DAAS monitors and audits each AAA. DAAS also reviews level of care determinations, InterRAI MINIMUM DATA SET – HOME CARE assessments and Care Plans. DAAS also tracks expenditures statewide; signs off on all reasonable and approved administrative expenses incurred by each AAA and checks to make sure all providers are qualified to provide the services they provide.

- 6. Assessment Methods and Frequency.** Describe the methods that are used to assess the performance of contracted and/or local/regional non-state entities to ensure that they perform assigned waiver operational and administrative functions in accordance with waiver requirements. Also specify how frequently the performance of contracted and/or local/regional non-state entities is assessed:

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DAAS monitors and audits each AAA on at least an annual basis. The results of the monitoring and auditing of each AAA are detailed in AAA monitoring and audit reports that DAAS compiles and sends on to the SMA for their review. DAAS also reviews 100% of the level of care determinations, InterRAI MINIMUM DATA SET – HOME CARE assessments and Care Plans for all participants statewide. DAAS also tracks expenditures statewide on at least a monthly basis, signs off on all reasonable and approved administrative expenses incurred by each AAA on a monthly basis and checks all providers initially, when they get their Medicaid number and annually thereafter, to make sure they are qualified to provide services.

- 7. Distribution of Waiver Operational and Administrative Functions.** In the following table, specify the entity or entities that have responsibility for conducting each of the waiver operational and administrative functions listed (*check each that applies*):

In accordance with 42 CFR §431.10, when the Medicaid agency does not directly conduct a function, it supervises the performance of the function and establishes and/or approves policies that affect the function. All functions not performed directly by the Medicaid agency must be delegated in writing and monitored by the Medicaid Agency. *Note: More than one box may be checked per item. Ensure that Medicaid is checked when the Single State Medicaid Agency (1) conducts the function directly; (2) supervises the delegated function; and/or (3) establishes and/or approves policies related to the function.*

Function	Medicaid Agency	Other State Operating Agency	Contracted Entity	Local Non-State Entity
Participant waiver enrollment	X	X	<input type="checkbox"/>	X
Waiver enrollment managed against approved limits	X	X	<input type="checkbox"/>	X
Waiver expenditures managed against approved levels	X	X	<input type="checkbox"/>	X
Level of care evaluation	X	X	<input type="checkbox"/>	X
Review of Participant service plans	X	X	<input type="checkbox"/>	X
Prior authorization of waiver services	<input type="checkbox"/>	X	<input type="checkbox"/>	X
Utilization management	X	X	<input type="checkbox"/>	X
Qualified provider enrollment	X	X	<input type="checkbox"/>	X
Execution of Medicaid provider agreements	X	X	<input type="checkbox"/>	X
Establishment of a statewide rate methodology	X	X	<input type="checkbox"/>	<input type="checkbox"/>
Rules, policies, procedures and information development governing the waiver program	X	X	<input type="checkbox"/>	<input type="checkbox"/>
Quality assurance and quality improvement activities	X	X	<input type="checkbox"/>	X

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## Quality Improvement: Administrative Authority of the Single State Medicaid Agency

*As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.*

### a. Methods for Discovery: Administrative Authority

*The Medicaid Agency retains ultimate administrative authority and responsibility for the operation of the waiver program by exercising oversight of the performance of waiver functions by other state and local/regional non-state agencies (if appropriate) and contracted entities.*

### i Performance Measures

*For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Performance measures for administrative authority should not duplicate measures found in other appendices of the waiver application. As necessary and applicable, performance measures should focus on:*

- *Uniformity of development/execution of provider agreements throughout all geographic areas covered by the waiver*
- *Equitable distribution of waiver openings in all geographic areas covered by the waiver*
- *Compliance with HCB settings requirements and other new regulatory components (for waiver actions submitted on or after March 17, 2014).*

*Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

<b>Performance Measure:#1</b>	<del># &amp; % of part. who have been a)den. access to Med. waiver prog, b)den. access to needed serv. while enrolled in the waiver c)den choice of prov. if more than 1 qual. prov. was avail. to render the serv. or d) when an individ. is det. ineligible for waiver serv., who were provided timely not. of appeal rights.(N=# of dec. where notice of appeal rights was provided; D=total dec. requ. appeal rights)</del> <u>Number and percentage of Aging Waiver applicants on the waiting list who enter into the waiver according to their numerical ranking. and the date the referral was received. (Numerator = total # of applicants entered into the waiver according to their numerical ranking and the date the referral was received; Denominator = total # of applicants scored and entered into the waiver)</u>
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):	

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If 'Other' is selected, specify:

## Meeting Minutes

## Correspondence (emails, letters, etc.)

	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input checked="" type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		<u>OA: Continuous and ongoing</u> <u>SMA: At a minimum every five years</u>	<input type="checkbox"/> Other Specify:

## Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input checked="" type="checkbox"/> Other Specify:	<u>OA: Annually</u> <u>SMA: At a minimum every five years</u> <del>Annually</del>
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify:

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**Performance Measure:#2**

**Number and percentage of applicants denied access to the Aging Waiver following a preliminary level of care screening, who were provided timely notice of appeal rights. (Numerator = total # of applicants denied after screening who were provided appeal rights; Denominator = total # of applicants denied after screening). Number and percentage of proposed rules and other documents, relating to the implementation of the waiver (including training curriculums and outreach materials), that are submitted by DAAS to the SMA for review and approval prior to implementation.**

**Data Source** (Select one) (Several options are listed in the on-line application):

If 'Other' is selected, specify:

**Document Approval Forms  
DAAS Documents**

	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
			<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other

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	Specify:

<b>Performance Measure:#3</b>	<b><u>Number and percentage of Medicaid provider agreements received and approved by Medicaid prior to the delivery of waiver services.</u>Number and percentage of maximum allowable rates (MARs), for covered waiver services, approved by the SMA. (Numerator = # of MARs approved by the SMA; Denominator = total # of MARs)</b>		
<b>Data Source (Select one) (Several options are listed in the on-line application):</b>			
If 'Other' is selected, specify:			
<b>Approval documentation Correspondence</b>			
	<b>Responsible Party for data collection/generation (check each that applies)</b>	<b>Frequency of data collection/generation: (check each that applies)</b>	<b>Sampling Approach (check each that applies)</b>
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
			<input type="checkbox"/> Other Specify:

## Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis (check each that applies)</b>	<b>Frequency of data aggregation and analysis: (check each that applies)</b>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing

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	<input type="checkbox"/> Other Specify:

<b>Performance Measure:#4</b>	<b><del>Number and percentage of special circumstance disenrollments that demonstrate DAAS explores all reasonable alternatives and the Disenrollment Protocol has been completed. Final authority for special circumstance disenrollment resides with the SMA. (Numerator = # of disenrollments approved by the SMA, when required; Denominator = total # of disenrollments requiring SMA approval)</del></b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):			
If 'Other' is selected, specify:			
<b>Disenrollment documents</b>			
<b>Correspondence between the SMA and DAAS</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
			<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input checked="" type="checkbox"/> Annually

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	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other
	Specify:

<b>Performance Measure:#5</b>	<b><del>Number and percentage of participants who have been a) denied access to Medicaid waiver program, b) denied access to needed services while enrolled in the waiver c) denied choice of provider if more than one qualified provider was available to render the service or d) when an individual is determined ineligible for waiver services, who were provided timely notice of appeal rights. (Numerator = # of decisions where notice of appeal rights was provided; Denominator = total decisions requiring appeal rights)</del></b>
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**Data Source** (Select one) (Several options are listed in the on-line application):

If 'Other' is selected, specify:

## DAAS application denial records

### Participant records

	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		OA: Continuously and ongoing	<input type="checkbox"/> Other Specify:
		SMA: At a minimum every 5 years	

## Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
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<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	X Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify:

- ii *If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.*

The SMA demonstrates ultimate administrative authority and responsibility for the operation of the Aging Wwaiver program through numerous activities including the issuance of policies, rules and regulations relating to the waiver and the approval of all protocols, documents and trainings that affect any aspect of the Aging Wwaiver operations. Approvals are accomplished through a formal document approval process. The SMA also conducts quarterly meetings with DAAS (the operating agency), monitors compliance with the Interagency Agreement, receives and reviews executive summary and financial audit reports which profile quality assurances reviews conducted by DAAS on each of the AAAs and provides technical assistance to the operating agency and other entities within the state that affect the operation of the Aging Wwaiver program. The SMA conducts an annual review of the Aging Wwaiver program for each of the five waiver years. At a minimum, one comprehensive review will be conducted during this five year cycle. The comprehensive review will include reviewing a random sample of care plans, Level of Care, MDS-HC assessments and other required documentation from each AAA to be sure all items are compliant with all current policy, rules and regulations.~~participant and provider interviews.~~ The other annual reviews will be focused reviews. The criteria for the focused reviews will be determined from DAAS and SMA review findings as well as other issues that develop during the review year. The sample size for each review will be sufficient to provide a confidence level equal to ~~80~~95% and a confidence interval equal to 5. The SMA is the entity responsible for official communication with CMS for all issues related to the Aging Wwaiver.

### b. Methods for Remediation/Fixing Individual Problems

- i *Describe the State's method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.*

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Individual issues identified by DAAS and the SMA that affect the health and welfare of individual participants are addressed immediately. Issues requiring immediate attention are addressed in a variety of ways. Depending on the circumstances of the individual case the interventions could include: contacting the OA, Case Management Agency and/or direct care provider agencies requiring an immediate review and remediation of the issue, reporting the issue to APS and/or local law enforcement or the state's Medicaid Fraud Control Unit, the licensing authority or the survey/certification authority. To assure the issues hasve been addressed, entities assigned the responsibility of review and remediation, are required to report back to the OA or SMA on the results of their interventions within designated time frames. A description of issues requiring immediate attention and outcomes are documented through the SMA final report. Issues that are less immediate are corrected within designated time frames and are documented through the SMA final review report. When the SMA determines that an issue is resolved, notification is provided and documentation is maintained by the SMA.

**ii Remediation Data Aggregation**

<b>Remediation-related Data Aggregation and Analysis (including trend identification)</b>	<b>Responsible Party (check each that applies)</b>	<b>Frequency of data aggregation and analysis: (check each that applies)</b>
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
	<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
	<input type="checkbox"/> Other Specify:	<input checked="" type="checkbox"/> Annually
		<input type="checkbox"/> Continuously and Ongoing
		<input type="checkbox"/> Other Specify:

**c. Timelines**

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Administrative Authority that are currently non-operational.

<input checked="" type="radio"/>	No
<input type="radio"/>	Yes

Please provide a detailed strategy for assuring Administrative Authority, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

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State:	
Effective Date	



State:	
Effective Date	

## Appendix B: Participant Access and Eligibility

### Appendix B-1: Specification of the Waiver Target Group(s)

- a. **Target Group(s).** Under the waiver of Section 1902(a)(10)(B) of the Act, the State limits waiver services to a group or subgroups of individuals. *In accordance with 42 CFR §441.301(b)(6), select one waiver target group, check each subgroup in the selected target group that may receive services under the waiver, and specify the minimum and maximum (if any) age of individuals served in each subgroup:*

SELECT ONE WAIVER TARGET GROUP	TARGET GROUP/SUBGROUP	MINIMUM AGE	MAXIMUM AGE	
			MAXIMUM AGE LIMIT: THROUGH AGE –	NO MAXIMUM AGE LIMIT
<input checked="" type="checkbox"/>	<b>Aged or Disabled, or Both - General</b>			
	<input checked="" type="checkbox"/> Aged (age 65 and older)	65		<input checked="" type="checkbox"/>
	<input type="checkbox"/> Disabled (Physical)			
	<input type="checkbox"/> Disabled (Other)			
<input type="checkbox"/>	<b>Aged or Disabled, or Both - Specific Recognized Subgroups</b>			
	<input type="checkbox"/> Brain Injury			<input type="checkbox"/>
	<input type="checkbox"/> HIV/AIDS			<input type="checkbox"/>
	<input type="checkbox"/> Medically Fragile			<input type="checkbox"/>
	<input type="checkbox"/> Technology Dependent			<input type="checkbox"/>
<input type="checkbox"/>	<b>Intellectual Disability or Developmental Disability, or Both</b>			
	<input type="checkbox"/> Autism			<input type="checkbox"/>
	<input type="checkbox"/> Developmental Disability			<input type="checkbox"/>
	<input type="checkbox"/> Mental Retardation			<input type="checkbox"/>
<input type="checkbox"/>	<b>Mental Illness</b> ( <i>check each that applies</i> )			
	<input type="checkbox"/> Mental Illness			<input type="checkbox"/>
	<input type="checkbox"/> Serious Emotional Disturbance			

- b. **Additional Criteria.** The State further specifies its target group(s) as follows:

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- c. **Transition of Individuals Affected by Maximum Age Limitation.** When there is a maximum age limit that applies to individuals who may be served in the waiver, describe the transition planning procedures that are undertaken on behalf of participants affected by the age limit (*select one*):

<input checked="" type="radio"/>	Not applicable. There is no maximum age limit
<input type="radio"/>	The following transition planning procedures are employed for participants who will reach the waiver's maximum age limit. <i>Specify:</i>

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## Appendix B-2: Individual Cost Limit

- a. **Individual Cost Limit.** The following individual cost limit applies when determining whether to deny home and community-based services or entrance to the waiver to an otherwise eligible individual (*select one*). Please note that a State may have only ONE individual cost limit for the purposes of determining eligibility for the waiver:

<input checked="" type="radio"/>		<b>No Cost Limit.</b> The State does not apply an individual cost limit. <i>Do not complete Item B-2-b or Item B-2-c.</i>	
<input type="radio"/>		<b>Cost Limit in Excess of Institutional Costs.</b> The State refuses entrance to the waiver to any otherwise eligible individual when the State reasonably expects that the cost of the home and community-based services furnished to that individual would exceed the cost of a level of care specified for the waiver up to an amount specified by the State. <i>Complete Items B-2-b and B-2-c.</i> The limit specified by the State is ( <i>select one</i> ):	
<input type="radio"/>	%	A level higher than 100% of the institutional average Specify the percentage:	
<input type="radio"/>		Other ( <i>specify</i> ): <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	
<input type="radio"/>		<b>Institutional Cost Limit.</b> Pursuant to 42 CFR 441.301(a)(3), the State refuses entrance to the waiver to any otherwise eligible individual when the State reasonably expects that the cost of the home and community-based services furnished to that individual would exceed 100% of the cost of the level of care specified for the waiver. <i>Complete Items B-2-b and B-2-c.</i>	
<input type="radio"/>		<b>Cost Limit Lower Than Institutional Costs.</b> The State refuses entrance to the waiver to any otherwise qualified individual when the State reasonably expects that the cost of home and community-based services furnished to that individual would exceed the following amount specified by the State that is less than the cost of a level of care specified for the waiver. <i>Specify the basis of the limit, including evidence that the limit is sufficient to assure the health and welfare of waiver participants. Complete Items B-2-b and B-2-c.</i> <div style="border: 1px solid black; height: 40px; width: 100%; margin-top: 5px;"></div>	
		The cost limit specified by the State is ( <i>select one</i> ):	
<input type="radio"/>		<b>The following dollar amount:</b> Specify dollar amount:	<div style="border: 1px solid black; width: 100px; height: 20px; margin-top: 5px;"></div>
		The dollar amount ( <i>select one</i> ):	
<input type="radio"/>		<b>Is adjusted each year that the waiver is in effect by applying the following formula:</b> Specify the formula: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div>	
<input type="radio"/>		<b>May be adjusted during the period the waiver is in effect. The State will submit a waiver amendment to CMS to adjust the dollar amount.</b>	

State:	
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	<input type="radio"/>	The following percentage that is less than 100% of the institutional average:		
	<input type="radio"/>	Other:		
	Specify:			

- b. **Method of Implementation of the Individual Cost Limit.** When an individual cost limit is specified in Item B-2-a, specify the procedures that are followed to determine in advance of waiver entrance that the individual's health and welfare can be assured within the cost limit:

--

- c. **Participant Safeguards.** When the State specifies an individual cost limit in Item B-2-a and there is a change in the participant's condition or circumstances post-entrance to the waiver that requires the provision of services in an amount that exceeds the cost limit in order to assure the participant's health and welfare, the State has established the following safeguards to avoid an adverse impact on the participant (*check each that applies*):

<input type="checkbox"/>	<b>The participant is referred to another waiver that can accommodate the individual's needs.</b>
<input type="checkbox"/>	<b>Additional services in excess of the individual cost limit may be authorized.</b> Specify the procedures for authorizing additional services, including the amount that may be authorized:
<input type="checkbox"/>	<b>Other safeguard(s)</b> <i>(Specify):</i>

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## Appendix B-3: Number of Individuals Served

- a. Unduplicated Number of Participants.** The following table specifies the maximum number of unduplicated participants who are served in each year that the waiver is in effect. The State will submit a waiver amendment to CMS to modify the number of participants specified for any year(s), including when a modification is necessary due to legislative appropriation or another reason. The number of unduplicated participants specified in this table is basis for the cost-neutrality calculations in Appendix J:

Table: B-3-a	
Waiver Year	Unduplicated Number of Participants
Year 1	760
Year 2	777
Year 3	650
Year 4 (only appears if applicable based on Item 1-C)	650
Year 5 (only appears if applicable based on Item 1-C)	650

- b. Limitation on the Number of Participants Served at Any Point in Time.** Consistent with the unduplicated number of participants specified in Item B-3-a, the State may limit to a lesser number the number of participants who will be served at any point in time during a waiver year. Indicate whether the State limits the number of participants in this way: *(select one)*:

<input checked="" type="radio"/>	The State does not limit the number of participants that it serves at any point in time during a waiver year.
<input type="radio"/>	The State limits the number of participants that it serves at any point in time during a waiver year.

The limit that applies to each year of the waiver period is specified in the following table:

Table B-3-b	
Waiver Year	Maximum Number of Participants Served At Any Point During the Year
Year 1	545
Year 2	585
Year 3	500
Year 4 (only appears if applicable based on Item 1-C)	500
Year 5 (only appears if applicable based on Item 1-C)	500

State:	
Effective Date	

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State:	
Effective Date	

- c. **Reserved Waiver Capacity.** The State may reserve a portion of the participant capacity of the waiver for specified purposes (e.g., provide for the community transition of institutionalized persons or furnish waiver services to individuals experiencing a crisis) subject to CMS review and approval. The State (*select one*):

<input checked="" type="radio"/>	<b>Not applicable. The state does not reserve capacity.</b>			
<input type="radio"/>	<b>The State reserves capacity for the following purpose(s).</b> Purpose(s) the State reserves capacity for:			
	<b>Table B-3-c</b>			
		<b>Purpose</b> (provide a title or short description to use for lookup):	<b>Purpose</b> (provide a title or short description to use for lookup):	
		<b>Purpose</b> (describe):	<b>Purpose</b> (describe):	
		<b>Describe how the amount of reserved capacity was determined:</b>	<b>Describe how the amount of reserved capacity was determined:</b>	
		<b>Waiver Year</b>	<b>Capacity Reserved</b>	<b>Capacity Reserved</b>
		<b>Year 1</b>		
		<b>Year 2</b>		
		<b>Year 3</b>		
	<b>Year 4</b> (only if applicable based on Item 1-C)			
	<b>Year 5</b> (only if applicable based on Item 1-C)			

- d. **Scheduled Phase-In or Phase-Out.** Within a waiver year, the State may make the number of participants who are served subject to a phase-in or phase-out schedule (*select one*):

<input checked="" type="radio"/>	<b>The waiver is not subject to a phase-in or a phase-out schedule.</b>
<input type="radio"/>	<b>The waiver is subject to a phase-in or phase-out schedule that is included in Attachment #1 to Appendix B-3. This schedule constitutes an <i>intra-year</i> limitation on the number of participants who are served in the waiver.</b>

State:	
Effective Date	

**e. Allocation of Waiver Capacity.**

*Select one:*

<input checked="" type="radio"/>	<b>Waiver capacity is allocated/managed on a statewide basis.</b>
<input type="radio"/>	<b>Waiver capacity is allocated to local/regional non-state entities. Specify: (a) the entities to which waiver capacity is allocated; (b) the methodology that is used to allocate capacity and how often the methodology is reevaluated; and, (c) policies for the reallocation of unused capacity among local/regional non-state entities:</b>

**f. Selection of Entrants to the Waiver.** Specify the policies that apply to the selection of individuals for entrance to the waiver:

When available capacity and funding exist, individuals that meet the programmatic eligibility requirements, as defined in Appendix B-1, are given a choice to receive services through the Aging Wwaiver.

If available capacity does not exist, the applicant may access services through a nursing facility, or may wait for available capacity in the Aging Wwaiver.

DAAS has established a Demographic Intake and Screening (DIS) form by which individuals are ranked to prioritize access to waiver services. The DIS form scores the performance of both ADLs and IADLs and includes a risk assessment to help determine the immediacy of need for services and the individual's risk in not gaining access to waiver services.

Applicants ranked by the DIS form are then placed on a waiting list entitled The Applicant List which is maintained by the Operating Agency.

State:	
Effective Date	

## B-3: Number of Individuals Served - Attachment #1

### Waiver Phase-In/Phase Out Schedule

Based on Waiver Proposed Effective Date:

- a. The waiver is being (*select one*):

<input type="radio"/>	Phased-in
<input type="radio"/>	Phased-out

- b. **Phase-In/Phase-Out Time Schedule.** Complete the following table:

**Beginning (base) number of Participants:**

--

Phase-In or Phase-Out Schedule			
Waiver Year:			
Month	Base Number of Participants	Change in Number of Participants	Participant Limit

- c. **Waiver Years Subject to Phase-In/Phase-Out Schedule** (*check each that applies*):

Year One	Year Two	Year Three	Year Four	Your Five
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

State:	
Effective Date	

d. **Phase-In/Phase-Out Time Period.** *Complete the following table:*

	Month	Waiver Year
Waiver Year: First Calendar Month		
Phase-in/Phase out begins		
Phase-in/Phase out ends		

State:	
Effective Date	

## Appendix B-4: Medicaid Eligibility Groups Served in the Waiver

- a. **1. State Classification.** The State is a (*select one*):

<input type="radio"/>	§1634 State
<input checked="" type="radio"/>	SSI Criteria State
<input type="radio"/>	209(b) State

- 2. Miller Trust State.**

Indicate whether the State is a Miller Trust State (*select one*).

<input checked="" type="radio"/>	No
<input type="radio"/>	Yes

- b. **Medicaid Eligibility Groups Served in the Waiver.** Individuals who receive services under this waiver are eligible under the following eligibility groups contained in the State plan. The State applies all applicable federal financial participation limits under the plan. *Check all that apply:*

<b><i>Eligibility Groups Served in the Waiver (excluding the special home and community-based waiver group under 42 CFR §435.217)</i></b>		
<input type="checkbox"/>	Low income families with children as provided in §1931 of the Act	
<input checked="" type="checkbox"/>	SSI recipients	
<input type="checkbox"/>	Aged, blind or disabled in 209(b) states who are eligible under 42 CFR §435.121	
<input checked="" type="checkbox"/>	Optional State supplement recipients	
<input checked="" type="checkbox"/>	Optional categorically needy aged and/or disabled individuals who have income at: ( <i>select one</i> )	
<input checked="" type="radio"/>		100% of the Federal poverty level (FPL)
<input type="radio"/>	%	of FPL, which is lower than 100% of FPL Specify percentage:
<input type="checkbox"/>	Working individuals with disabilities who buy into Medicaid (BBA working disabled group as provided in §1902(a)(10)(A)(ii)(XIII)) of the Act)	
<input type="checkbox"/>	Working individuals with disabilities who buy into Medicaid (TWWIIA Basic Coverage Group as provided in §1902(a)(10)(A)(ii)(XV) of the Act)	
<input type="checkbox"/>	Working individuals with disabilities who buy into Medicaid (TWWIIA Medical Improvement Coverage Group as provided in §1902(a)(10)(A)(ii)(XVI) of the Act)	
<input type="checkbox"/>	Disabled individuals age 18 or younger who would require an institutional level of care (TEFRA 134 eligibility group as provided in §1902(e)(3) of the Act)	
<input type="checkbox"/>	Medically needy in 209(b) States (42 CFR §435.330)	
<input checked="" type="checkbox"/>	Medically needy in 1634 States and SSI Criteria States (42 CFR §435.320, §435.322 and §435.324)	
<input type="checkbox"/>	Other specified groups (include only the statutory/regulatory reference to reflect the additional groups in the State plan that may receive services under this waiver) <i>specify:</i>	

State:	
Effective Date	

<b><i>Special home and community-based waiver group under 42 CFR §435.217</i></b> Note: When the special home and community-based waiver group under 42 CFR §435.217 is included, Appendix B-5 must be completed			
<input type="radio"/>	<b>No.</b> The State does not furnish waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217. Appendix B-5 is not submitted.		
<input checked="" type="radio"/>	<b>Yes.</b> The State furnishes waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217. <i>Select one and complete Appendix B-5.</i>		
<input checked="" type="radio"/>	All individuals in the special home and community-based waiver group under 42 CFR §435.217		
<input type="radio"/>	Only the following groups of individuals in the special home and community-based waiver group under 42 CFR §435.217 ( <i>check each that applies</i> ):		
<input type="checkbox"/>	A special income level equal to (select one):		
<input type="radio"/>	300% of the SSI Federal Benefit Rate (FBR)		
<input type="radio"/>	%	A percentage of FBR, which is lower than 300% (42 CFR §435.236)	
		Specify percentage:	
<input type="radio"/>	\$	A dollar amount which is lower than 300%	
		Specify percentage:	
<input type="checkbox"/>	Aged, blind and disabled individuals who meet requirements that are more restrictive than the SSI program (42 CFR §435.121)		
<input type="checkbox"/>	Medically needy without spend down in States which also provide Medicaid to recipients of SSI (42 CFR §435.320, §435.322 and §435.324)		
<input type="checkbox"/>	Medically needy without spend down in 209(b) States (42 CFR §435.330)		
<input type="checkbox"/>	Aged and disabled individuals who have income at: ( <i>select one</i> )		
<input type="radio"/>	100% of FPL		
<input type="radio"/>	%	of FPL, which is lower than 100%	
<input type="checkbox"/>	Other specified groups (include only the statutory/regulatory reference to reflect the additional groups in the State plan that may receive services under this waiver) <i>specify</i> :		

State:	
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## Appendix B-5: Post-Eligibility Treatment of Income

*In accordance with 42 CFR §441.303(e), Appendix B-5 must be completed when the State furnishes waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217, as indicated in Appendix B-4. Post-eligibility applies only to the 42 CFR §435.217 group. A State that uses spousal impoverishment rules under §1924 of the Act to determine the eligibility of individuals with a community spouse may elect to use spousal post-eligibility rules under §1924 of the Act to protect a personal needs allowance for a participant with a community spouse.*

- a. Use of Spousal Impoverishment Rules.** Indicate whether spousal impoverishment rules are used to determine eligibility for the special home and community-based waiver group under 42 CFR §435.217 (*select one*):

<input checked="" type="radio"/>		Spousal impoverishment rules under §1924 of the Act are used to determine the eligibility of individuals with a community spouse for the special home and community-based waiver group. In the case of a participant with a community spouse, the State elects to ( <i>select one</i> ):
	<input checked="" type="radio"/>	Use <i>spousal</i> post-eligibility rules under §1924 of the Act. <i>Complete Items B-5-b-2 (SSI State and §1634) or B-5-c-2 (209b State) and Item B-5-d.</i>
	<input type="radio"/>	Use <i>regular</i> post-eligibility rules under 42 CFR §435.726 (SSI State and §1634) ( <i>Complete Item B-5-b-1</i> ) or under §435.735 (209b State) ( <i>Complete Item B-5-c-1</i> ). <i>Do not complete Item B-5-d.</i>
<input type="radio"/>		Spousal impoverishment rules under §1924 of the Act are not used to determine eligibility of individuals with a community spouse for the special home and community-based waiver group. The State uses regular post-eligibility rules for individuals with a community spouse. <i>Complete Item B-5-c-1 (SSI State and §1634) or Item B-5-d-1 (209b State). Do not complete Item B-5-d.</i>

**NOTE: Items B-5-b-1 and B-5-c-1 are for use by states that do not use spousal eligibility rules or use spousal impoverishment eligibility rules but elect to use regular post-eligibility rules.**

- b. Regular Post-Eligibility Treatment of Income: SSI State.** The State uses the post-eligibility rules at 42 CFR §435.726. Payment for home and community-based waiver services is reduced by the amount remaining after deducting the following allowances and expenses from the waiver participant's income:

<b>i. Allowance for the needs of the waiver participant</b> ( <i>select one</i> ):			
<input type="radio"/>		The following standard included under the State plan ( <i>Select one</i> ):	
	<input type="radio"/>	<b>SSI standard</b>	
	<input type="radio"/>	<b>Optional State supplement standard</b>	
	<input type="radio"/>	<b>Medically needy income standard</b>	
	<input type="radio"/>	<b>The special income level for institutionalized persons</b> ( <i>select one</i> ):	
	<input type="radio"/>	<b>300% of the SSI Federal Benefit Rate (FBR)</b>	
	<input type="radio"/>	%	<b>A percentage of the FBR, which is less than 300%</b> Specify the percentage:
	<input type="radio"/>	\$	<b>A dollar amount which is less than 300%.</b> Specify dollar amount:
	<input type="radio"/>	%	<b>A percentage of the Federal poverty level</b> Specify percentage:

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<input type="radio"/>	<b>Other standard included under the State Plan</b> Specify:		
<input type="radio"/>	<b>The following dollar amount</b> Specify dollar amount:	\$	If this amount changes, this item will be revised.
<input checked="" type="radio"/>	<b>The following formula is used to determine the needs allowance:</b> Specify: Up to \$125 of any earned income and a general disregard of 100% of the FPL for one person; plus shelter cost deduction for mortgage and related costs (property taxes, insurance, etc.) or rent, not to exceed \$300; plus the standard utility allowance Utah uses under Section 5(e) of the Food Stamp Act of 1977. Total shelter costs cannot exceed \$300 plus the standard utility allowance. If other family members live with the waiver participant, an additional amount in recognition of higher expenses that a waiver participant may have to meet the extra costs of supporting the other family members will be considered. The additional amount is the difference between the allowance for a family member defined in Section 1924(d)(1)(C) of the Social Security Act and the allowance for a family member defined in 42 CFR Section 435.726(c)(3).		
<input type="radio"/>	Other Specify:		
<b>ii. Allowance for the spouse only (select one):</b>			
<input checked="" type="radio"/>	<b>Not Applicable</b>		
<input type="radio"/>	<b>The State provides an allowance for a spouse who does not meet the definition of a community spouse in §1924 of the Act. Describe the circumstances under which this allowance is provided:</b> Specify:		
<b>Specify the amount of the allowance (select one):</b>			
<input type="radio"/>	<b>SSI standard</b>		
<input type="radio"/>	<b>Optional State supplement standard</b>		
<input type="radio"/>	<b>Medically needy income standard</b>		
<input type="radio"/>	<b>The following dollar amount:</b> Specify dollar amount:	\$	If this amount changes, this item will be revised.
<input type="radio"/>	<b>The amount is determined using the following formula:</b> Specify:		
<b>iii. Allowance for the family (select one):</b>			

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<input type="radio"/>	<b>Not Applicable (see instructions)</b>	
<input type="radio"/>	<b>AFDC need standard</b>	
<input checked="" type="radio"/>	<b>Medically needy income standard</b>	
<input type="radio"/>	<b>The following dollar amount:</b> \$ <input type="text"/> Specify dollar amount:	The amount specified cannot exceed the higher of the need standard for a family of the same size used to determine eligibility under the State's approved AFDC plan or the medically needy income standard established under 42 CFR §435.811 for a family of the same size. If this amount changes, this item will be revised.
<input type="radio"/>	<b>The amount is determined using the following formula:</b> Specify:	
<input type="radio"/>	Other Specify:	
<b>iv. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified in 42 §CFR 435.726:</b>		
a. Health insurance premiums, deductibles and co-insurance charges b. Necessary medical or remedial care expenses recognized under State law but not covered under the State's Medicaid plan, subject to reasonable limits that the State may establish on the amounts of these expenses. Select one:		
<input type="radio"/>	<b>Not applicable (see instructions)</b> Note: If the State protects the maximum amount for the waiver participant, not applicable must be selected.	
<input type="radio"/>	<b>The State does not establish reasonable limits.</b>	
<input checked="" type="radio"/>	<b>The State establishes the following reasonable limits</b> Specify:	
	The State establishes the following reasonable limits on post-eligibility income deductions for regular and spousal post eligibility: The limits specified in Utah's Title XIX State Plan for post-eligibility income deductions under 42 CFR Sections 435.725, 435.726, 435.832 and Section 1924 of the Social Security Act. The limits are defined on Supplement 3 to attachment 2.6A.	

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- c-1. Regular Post-Eligibility Treatment of Income: 209(B) State.** The State uses more restrictive eligibility requirements than SSI and uses the post-eligibility rules at 42 CFR §435.735. Payment for home and community-based waiver services is reduced by the amount remaining after deducting the following amounts and expenses from the waiver participant's income:

<b>i. Allowance for the needs of the waiver participant</b> (select one):			
<input type="radio"/>	The following standard included under the State plan (select one)		
<input type="radio"/>	<input type="radio"/>	The following standard under 42 CFR §435.121 Specify:	
	<input type="radio"/>	Optional State supplement standard	
	<input type="radio"/>	Medically needy income standard	
	<input type="radio"/>	The special income level for institutionalized persons (select one):	
	<input type="radio"/>	300% of the SSI Federal Benefit Rate (FBR)	
	<input type="radio"/>	%	A percentage of the FBR, which is less than 300% Specify percentage:
	<input type="radio"/>	\$	A dollar amount which is less than 300% of the FBR Specify dollar amount:
<input type="radio"/>	%	A percentage of the Federal poverty level Specify percentage:	
<input type="radio"/>	Other standard included under the State Plan (specify):		
<input type="radio"/>			
<input type="radio"/>	The following dollar amount:	\$	Specify dollar amount: If this amount changes, this item will be revised.
<input type="radio"/>	The following formula is used to determine the needs allowance Specify:		
<input type="radio"/>	Other (specify)		
<b>ii. Allowance for the spouse only</b> (select one):			
<input type="radio"/>	Not Applicable (see instructions)		
<input type="radio"/>	The following standard under 42 CFR §435.121 Specify:		
<input type="radio"/>	Optional State supplement standard		

State:	
Effective Date	

<input type="radio"/>	Medically needy income standard		
<input type="radio"/>	The following dollar amount: Specify dollar amount:	\$	If this amount changes, this item will be revised.
<input type="radio"/>	The amount is determined using the following formula: <i>Specify:</i>		
<b>iii. Allowance for the family</b> <i>(select one)</i>			
<input type="radio"/>	Not applicable <i>(see instructions)</i>		
<input type="radio"/>	AFDC need standard		
<input type="radio"/>	Medically needy income standard		
<input type="radio"/>	The following dollar amount: Specify dollar amount:	\$	The amount specified cannot exceed the higher of the need standard for a family of the same size used to determine eligibility under the State's approved AFDC plan or the medically needy income standard established under 42 CFR §435.811 for a family of the same size. If this amount changes, this item will be revised.
<input type="radio"/>	The amount is determined using the following formula: <i>Specify:</i>		
<input type="radio"/>	Other (specify):		
<b>iv. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified in 42 CFR §435.735:</b>			
a. Health insurance premiums, deductibles and co-insurance charges			
b. Necessary medical or remedial care expenses recognized under State law but not covered under the State's Medicaid plan, subject to reasonable limits that the State may establish on the amounts of these expenses.			
<i>Select one:</i>			
<input type="radio"/>	Not applicable <i>(see instructions)</i> Note: If the State protects the maximum amount for the waiver participant, not applicable must be checked.		
<input type="radio"/>	The State does not establish reasonable limits.		
<input type="radio"/>	The State establishes the following reasonable limits <i>(specify)</i> :		

State:	
Effective Date	

**NOTE: Items B-5-b-2 and B-5-c-2 are for use by states that use spousal impoverishment eligibility rules and elect to apply the spousal post eligibility rules.**

**b-2. Regular Post-Eligibility Treatment of Income: SSI State.** The State uses the post-eligibility rules at 42 CFR §435.726 for individuals who do not have a spouse or have a spouse who is not a community spouse as specified in §1924 of the Act. Payment for home and community-based waiver services is reduced by the amount remaining after deducting the following allowances and expenses from the waiver participant's income:

<b>i. Allowance for the needs of the waiver participant</b> (select one):			
<input type="radio"/>	The following standard included under the State plan (select one)		
<input type="radio"/>	SSI standard		
<input type="radio"/>	Optional State supplement standard		
<input type="radio"/>	Medically needy income standard		
<input type="radio"/>	The special income level for institutionalized persons (select one):		
<input type="radio"/>	<input type="radio"/>	300% of the SSI Federal Benefit Rate (FBR)	
<input type="radio"/>	<input type="radio"/>	%	A percent of the FBR, which is less than 300%
<input type="radio"/>	<input type="radio"/>	\$	A dollar amount which is less than 300%.
<input type="radio"/>	<input type="radio"/>	%	A percentage of the Federal poverty level
<input type="radio"/>	Other standard included under the State Plan (specify):		
<input type="radio"/>			
<input type="radio"/>	The following dollar amount Specify dollar amount:	\$	If this amount changes, this item will be revised.
<input checked="" type="radio"/>	The following formula is used to determine the needs allowance: <i>Specify:</i>		
	Up to \$125 of any earned income and a general disregard of 100% of the FPL for one person; plus shelter cost deduction for mortgage and related costs (property taxes, insurance, etc.) or rent, not to exceed \$300; plus the standard utility allowance Utah uses under Section 5(e) of the Food Stamp Act of 1977. Total shelter costs cannot exceed \$300 plus the standard utility allowance. If other family members live with the waiver participant, an additional amount in recognition of higher expenses that a waiver participant may have to meet the extra costs of supporting the other family members will be considered. The additional amount is the difference between the allowance for a family member defined in Section 1924(d)(1)(C) of the Social Security Act and the allowance for a family member defined in 42 CFR Section 435.726(c)(3).		
<input type="radio"/>	Other (specify):		
<input type="radio"/>			
<b>ii. Allowance for the spouse only</b> (select one):			
<input checked="" type="radio"/>	Not Applicable		
<input type="radio"/>	The state provides an allowance for a spouse who does not meet the definition of a community spouse in §1924 of the Act. Describe the circumstances under which this allowance is provided: <i>Specify:</i>		

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Specify the amount of the allowance:		
<input type="radio"/>	SSI standard	
<input type="radio"/>	Optional State supplement standard	
<input type="radio"/>	Medically needy income standard	
<input type="radio"/>	The following dollar amount: Specify dollar amount:	\$ <input type="text"/> If this amount changes, this item will be revised.
<input type="radio"/>	The amount is determined using the following formula: Specify:	
<b>iii. Allowance for the family</b> ( <i>select one</i> ):		
<input type="radio"/>	Not applicable (see instructions)	
<input type="radio"/>	AFDC need standard	
<input checked="" type="radio"/>	Medically needy income standard	
<input type="radio"/>	The following dollar amount: Specify dollar amount:	\$ <input type="text"/> The amount specified cannot exceed the higher of the need standard for a family of the same size used to determine eligibility under the State's approved AFDC plan or the medically needy income standard established under 42 CFR §435.811 for a family of the same size. If this amount changes, this item will be revised.
<input type="radio"/>	The amount is determined using the following formula: Specify:	
<input type="radio"/>	Other ( <i>specify</i> ):	
<b>iv. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified in 42 CFR §435.726:</b>		
a. Health insurance premiums, deductibles and co-insurance charges		
b. Necessary medical or remedial care expenses recognized under State law but not covered under the State's Medicaid plan, subject to reasonable limits that the State may establish on the amounts of these expenses.		
Select one:		
<input type="radio"/>	Not applicable ( <i>see instructions</i> ) Note: If the State protects the maximum amount for the waiver participant, not applicable must be selected.	
<input type="radio"/>	The State does not establish reasonable limits.	
<input checked="" type="radio"/>	The State establishes the following reasonable limits ( <i>specify</i> ):	
	The State establishes the following reasonable limits on post-eligibility income deductions for regular and spousal post eligibility: The limits specified in Utah's Title XIX State Plan for post-eligibility income deductions under 42 CFR Sections 435.725, 435.726, 435.832	

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and Section 1924 of the Social Security Act. The limits are defined on Supplement 3 to attachment 2.6A.

- c-2. Regular Post-Eligibility Treatment of Income: 209(B) State.** The State uses more restrictive eligibility requirements than SSI and uses the post-eligibility rules at 42 CFR §435.735 for individuals who do not have a spouse or have a spouse who is not a community spouse as specified in §1924 of the Act. Payment for home and community-based waiver services is reduced by the amount remaining after deducting the following amounts and expenses from the waiver participant's income:

<b>i. Allowance for the needs of the waiver participant</b> (select one):			
<input type="radio"/>	The following standard included under the State plan (select one)		
	<input type="radio"/>	The following standard under 42 CFR §435.121 Specify:	
	<input type="radio"/>	Optional State supplement standard	
	<input type="radio"/>	Medically needy income standard	
	<input type="radio"/>	The special income level for institutionalized persons (select one)	
	<input type="radio"/>	300% of the SSI Federal Benefit Rate (FBR)	
	<input type="radio"/>	%	A percentage of the FBR, which is less than 300%
	<input type="radio"/>	\$	A dollar amount which is less than 300% of the FBR
	<input type="radio"/>	%	A percentage of the Federal poverty level
	<input type="radio"/>	Other standard included under the State Plan (specify):	
<input type="radio"/>	The following dollar amount Specify dollar amount:	\$	If this amount changes, this item will be revised.
<input type="radio"/>	The following formula is used to determine the needs allowance: Specify:		
<input type="radio"/>	Other (specify):		
<b>ii. Allowance for the spouse only</b> (select one):			
<input type="radio"/>	Not applicable		
<input type="radio"/>	The state provides an allowance for a spouse who does not meet the definition of a community spouse in §1924 of the Act. Describe the circumstances under which this allowance is provided: Specify:		
	Specify the amount of the allowance:		

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Effective Date	

	<input type="radio"/>	The following standard under 42 CFR §435.121: <i>Specify:</i>	
	<input type="radio"/>	Optional State supplement standard	
	<input type="radio"/>	Medically needy income standard	
	<input type="radio"/>	The following dollar amount: Specify dollar amount:	\$
	<input type="radio"/>	The amount is determined using the following formula: <i>Specify</i>	
<b>iii. Allowance for the family</b> ( <i>select one</i> )			
		Not applicable (see instructions)	
	<input type="radio"/>	AFDC need standard	
	<input type="radio"/>	Medically needy income standard	
	<input type="radio"/>	The following dollar amount: Specify dollar amount:	\$ The amount specified cannot exceed the higher of the need standard for a family of the same size used to determine eligibility under the State's approved AFDC plan or the medically needy income standard established under 42 CFR §435.811 for a family of the same size. If this amount changes, this item will be revised.
	<input type="radio"/>	The amount is determined using the following formula:	
	<input type="radio"/>	Other (specify):	
<b>iv. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified in 42 CFR 435.735:</b>			
a. Health insurance premiums, deductibles and co-insurance charges			
b. Necessary medical or remedial care expenses recognized under State law but not covered under the State's Medicaid plan, subject to reasonable limits that the State may establish on the amounts of these expenses. <i>Select one:</i>			
	<input type="radio"/>	Not applicable ( <i>see instructions</i> ) <i>Note: If the State protects the maximum amount for the waiver participant, not applicable must be checked.</i>	
	<input type="radio"/>	The State does not establish reasonable limits.	
	<input type="radio"/>	The State establishes the following reasonable limits ( <i>specify</i> ):	

State:	
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**d. Post-Eligibility Treatment of Income Using Spousal Impoverishment Rules**

The State uses the post-eligibility rules of §1924(d) of the Act (spousal impoverishment protection) to determine the contribution of a participant with a community spouse toward the cost of home and community-based care if it determines the individual's eligibility under §1924 of the Act. There is deducted from the participant's monthly income a personal needs allowance (as specified below), a community spouse's allowance and a family allowance as specified in the State Medicaid Plan. The State must also protect amounts for incurred expenses for medical or remedial care (as specified below).

<b>i. Allowance for the personal needs of the waiver participant</b>		
<i>(select one):</i>		
<input type="radio"/>	<b>SSI Standard</b>	
<input type="radio"/>	<b>Optional State supplement standard</b>	
<input type="radio"/>	<b>Medically needy income standard</b>	
<input type="radio"/>	<b>The special income level for institutionalized persons</b>	
<input type="radio"/>	%	Specify percentage:
<input type="radio"/>	<b>The following dollar amount:</b>	\$ If this amount changes, this item will be revised
<input checked="" type="radio"/>	<b>The following formula is used to determine the needs allowance:</b>	
	<i>Specify formula:</i>	
	Up to \$125 of any earned income and a general disregard of 100% of the FPL for one person; plus shelter cost deduction for mortgage and related costs (property taxes, insurance, etc.) or rent, not to exceed \$300; plus the standard utility allowance Utah uses under Section 5(e) of the Food Stamp Act of 1977. Total shelter costs cannot exceed \$300 plus the standard utility allowance.	
<input type="radio"/>	<b>Other</b>	
	<i>Specify:</i>	
<b>ii. If the allowance for the personal needs of a waiver participant with a community spouse is different from the amount used for the individual's maintenance allowance under 42 CFR §435.726 or 42 CFR §435.735, explain why this amount is reasonable to meet the individual's maintenance needs in the community.</b>		
Select one:		
<input type="radio"/>	<b>Allowance is the same</b>	
<input checked="" type="radio"/>	<b>Allowance is different.</b>	
	<i>Explanation of difference:</i>	
	Explanation of difference: We added an additional amount to the allowance. This allowance is for the personal needs of a waiver participant without a community spouse to recognize the extra costs of supporting the other family members. The additional amount is the difference between the allowance for a family member defined in Section 1924(d)(1)(C) of the Social Security Act and the allowance for a family member defined in 42 CFR Section 435.726(c)(3).	
	We did not add that additional amount to the personal needs allowance of a waiver participant with a community spouse because the extra costs of supporting the other family members is recognized in Section 1924(d)(1)(C).	

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<b>iii. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified in 42 CFR §435.726:</b>	
a. Health insurance premiums, deductibles and co-insurance charges b. Necessary medical or remedial care expenses recognized under State law but not covered under the State's Medicaid plan, subject to reasonable limits that the State may establish on the amounts of these expenses. Select one:	
<input type="radio"/>	<b>Not applicable (see instructions)</b> <i>Note: If the State protects the maximum amount for the waiver participant, not applicable must be selected.</i>
<input type="radio"/>	<b>The State does not establish reasonable limits.</b>
<input checked="" type="radio"/>	<b>The State uses the same reasonable limits as are used for regular (non-spousal) post-eligibility.</b>

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## Appendix B-6: Evaluation / Reevaluation of Level of Care

As specified in 42 CFR §441.302(c), the State provides for an evaluation (and periodic reevaluations) of the need for the level(s) of care specified for this waiver, when there is a reasonable indication that an individual may need such services in the near future (one month or less), but for the availability of home and community-based waiver services.

- a. Reasonable Indication of Need for Services.** In order for an individual to be determined to need waiver services, an individual must require: (a) the provision of at least one waiver service, as documented in the service plan, and (b) the provision of waiver services at least monthly or, if the need for services is less than monthly, the participant requires regular monthly monitoring which must be documented in the service plan. Specify the State's policies concerning the reasonable indication of the need for waiver services:

<b>i.</b>	<b>Minimum number of services.</b>	The minimum number of waiver services (one or more) that an individual must require in order to be determined to need waiver services is: <table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 10%; text-align: center;">One</td> </tr> </table>	One
One			
<b>ii.</b>	<b>Frequency of services.</b>	The State requires (select one):	
<input checked="" type="checkbox"/>	<b>The provision of waiver services at least monthly</b>		
<input type="checkbox"/>	<b>Monthly monitoring of the individual when services are furnished on a less than monthly basis</b>	If the State also requires a minimum frequency for the provision of waiver services other than monthly (e.g., quarterly), specify the frequency: <table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="height: 30px;"></td> </tr> </table>	

- b. Responsibility for Performing Evaluations and Reevaluations.** Level of care evaluations and reevaluations are performed (*select one*):

<input type="checkbox"/>	<b>Directly by the Medicaid agency</b>	
<input type="checkbox"/>	<b>By the operating agency specified in Appendix A</b>	
<input checked="" type="checkbox"/>	<b>By an entity under contract with the Medicaid agency.</b> <i>Specify the entity:</i> <table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="height: 40px; vertical-align: top;">                     The local/regional non-governmental non-state entities which consist of eleven AAAs, through contract with DAAS, perform the <u>MDS-HC assessment, <del>and,</del> level of care determination, <del>evaluations, and,</del> reevaluations, <del>as well as the level of care supplements.</del></u> </td> </tr> </table>	The local/regional non-governmental non-state entities which consist of eleven AAAs, through contract with DAAS, perform the <u>MDS-HC assessment, <del>and,</del> level of care determination, <del>evaluations, and,</del> reevaluations, <del>as well as the level of care supplements.</del></u>
The local/regional non-governmental non-state entities which consist of eleven AAAs, through contract with DAAS, perform the <u>MDS-HC assessment, <del>and,</del> level of care determination, <del>evaluations, and,</del> reevaluations, <del>as well as the level of care supplements.</del></u>		
<input type="checkbox"/>	<b>Other</b> <i>Specify:</i> <table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="height: 30px;"></td> </tr> </table>	

- c. Qualifications of Individuals Performing Initial Evaluation:** Per 42 CFR §441.303(c)(1), specify the educational/professional qualifications of individuals who perform the initial evaluation of level of care for waiver applicants:

Registered Nurse or Physician licensed in the state.
--

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d. **Level of Care Criteria.** Fully specify the level of care criteria that are used to evaluate and reevaluate whether an individual needs services through the waiver and that serve as the basis of the State’s level of care instrument/tool. Specify the level of care instrument/tool that is employed. State laws, regulations, and policies concerning level of care criteria and the level of care instrument/tool are available to CMS upon request through the Medicaid agency or the operating agency (if applicable), including the instrument/tool utilized.

<p><u>Utah State Administrative Rule R414-502 delineates the nursing facility level of care criteria that must be met to qualify for the Medicaid State Plan nursing facility benefit. In accordance with R414-502, it must be determined whether an applicant has mental or physical conditions that require the level of care provided in a nursing facility, or equivalent care provided through a Medicaid Home and Community-Based Waiver program, by documenting at least two of the following factors exist:</u></p> <p><del>The Department shall document that at least two of the following factors exist when it determines whether an applicant has mental or physical conditions that require the level of care provided in a nursing facility or equivalent care provided through a Medicaid Home and Community-Based Waiver program:</del></p> <p>(a) Due to diagnosed medical conditions, the applicant requires substantial physical assistance with daily living activities above the level of verbal prompting, supervising, or setting up;</p> <p>(b) The attending physician has determined that the applicant's level of dysfunction in orientation to person, place, or time requires nursing facility care; or equivalent care provided through a Medicaid Home and Community- Based Waiver program ; or</p> <p>(c) The medical condition and intensity of services indicate that the care needs of the applicant cannot be safely met in a less structured setting, or without the services and supports of a Medicaid Home and Community- Based Waiver program.</p>
--

e. **Level of Care Instrument(s).** Per 42 CFR §441.303(c)(2), indicate whether the instrument/tool used to evaluate level of care for the waiver differs from the instrument/tool used to evaluate institutional level of care (*select one*):

<input type="radio"/>	<b>The same instrument is used in determining the level of care for the waiver and for institutional care under the State Plan.</b>
<input checked="" type="radio"/>	<b>A different instrument is used to determine the level of care for the waiver than for institutional care under the State plan.</b> Describe how and why this instrument differs from the form used to evaluate institutional level of care and explain how the outcome of the determination is reliable, valid, and fully comparable.

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The InterRAI MINIMUM DATA SET - HOME CARE (MDS-HC) is the instrument used to determine the level of care for this waiver. Persons responsible for collecting the needed information and for making level of care determinations are trained ~~by~~ by staff of the DAAS staff or their designee, in the proper application of the MDS-HC instrument and the proper analysis of the MDS-HC data to perform level of care evaluations.

The MDS-HC is a comprehensive, standardized instrument for evaluating the needs, strengths and preferences of elderly participants in a community setting. The MDS-HC also acts as a screening component that assesses multiple key domains of function, health, social support and service use. Particular MDS-HC items identify participants who could benefit from further evaluation of specific problems and risk for functional decline. The MDS-HC has been designed to be compatible with the family of InterRAI assessment and problem identification tools, which includes the MDS (InterRAI Minimum Data Set) nursing home assessment instrument. Such compatibility promotes continuity of care through a seamless geriatric assessment system across multiple health care settings, and promotes a person-centered evaluation in contradiction to a site-specific assessment.

Accordingly, the main differences between the MDS-HC and the MDS is that the MDS includes assessment information more pertinent to a residential facility setting, addressing structural problems related to performance of ADLs in a facility, activity pursuit patterns, discharge potential and overall status and therapy supplement. Whereas the MDS-HC includes assessment information more pertinent to community living by addressing social functioning, informal support services, preventative health measures, environmental assessment, service utilization of home care services, medications (prescription, non-prescription and herbal), resource/support and services assessment and information, social resource assessment, caregiver assessment, social support information, additional medical problems and nurse summary sections.

Despite these differences, both the MDS-HC and MDS assessments help to determine level of care by including basic assessment data related to the individual. This information includes: identification and background information, cognitive patterns, communication/hearing patterns, vision patterns, mood and behavior patterns, physical functioning (IADL and ADL performance), continence, disease diagnoses, health conditions, nutrition/hydration status, skin condition, special treatments and therapies and programs.

- f. **Process for Level of Care Evaluation/Reevaluation.** Per 42 CFR §441.303(c)(1), describe the process for evaluating waiver applicants for their need for the level of care under the waiver. If the reevaluation process differs from the evaluation process, describe the differences:

The level of care evaluation process includes the completion of the MDS-HC assessment and the documentation of the level of care determination on the “Level of Care Determination Form”. The AAA RNstaff are responsible for completing the assessment, and for making the initial level of care determination. They are trained by staff at DAAS or its designee in the proper application of the MDS-HC instrument and the proper analysis of the MDS-HC data to evaluate level of care eligibility. The standard assessment instrument

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is used for all waiver applicants. DAAS reviews all level of care determinations. The same process is used for reevaluations.

- g. **Reevaluation Schedule.** Per 42 CFR §441.303(c)(4), reevaluations of the level of care required by a participant are conducted no less frequently than annually according to the following schedule (*select one*):

<input type="radio"/>	<b>Every three months</b>
<input type="radio"/>	<b>Every six months</b>
<input type="radio"/>	<b>Every twelve months</b>
<input checked="" type="radio"/>	<b>Other schedule</b> <i>Specify the other schedule:</i> The individual's level of care is screened at the time a substantial change in the individual's health status occurs, to determine whether the individual continues to meet nursing facility level of care, including at the conclusion of an inpatient stay in a medical facility. A full level of care reevaluation is conducted whenever indicated by a <u>substantial</u> health status change screening or at a minimum of annually (within the same calendar month as the previous <u>year's</u> assessment).

- h. **Qualifications of Individuals Who Perform Reevaluations.** Specify the qualifications of individuals who perform reevaluations (*select one*):

<input checked="" type="radio"/>	<b>The qualifications of individuals who perform reevaluations are the same as individuals who perform initial evaluations.</b>
<input type="radio"/>	<b>The qualifications are different.</b> <i>Specify the qualifications:</i> 

- i. **Procedures to Ensure Timely Reevaluations.** Per 42 CFR §441.303(c)(4), specify the procedures that the State employs to ensure timely reevaluations of level of care (*specify*):

The AAA RN-staff-are is responsible for the completion of level of care reevaluations have established a "tickler" file process in which a list is generated that shows all the files that are due for reevaluation during a given month.

- j. **Maintenance of Evaluation/Reevaluation Records.** Per 42 CFR §441.303(c)(3), the State assures that written and/or electronically retrievable documentation of all evaluations and reevaluations are maintained for a minimum period of 3 years as required in 45 CFR §92.42. Specify the location(s) where records of evaluations and reevaluations of level of care are maintained:

Records of level of care evaluations and reevaluations will be maintained in the participant's waiver case record maintained by the AAA and the case management agency.

## Quality Improvement: Level of Care

*As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.*

- a. Methods for Discovery: **Level of Care Assurance/Sub-assurances**

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*The state demonstrates that it implements the processes and instrument(s) specified in its approved waiver for evaluating/reevaluating an applicant's/waiver participant's level of care consistent with level of care provided in a hospital, NF or ICF/IID.*

**i. Sub-assurances:**

*a. Sub-assurance: An evaluation for LOC is provided to all applicants for whom there is reasonable indication that services may be needed in the future.*

**i. Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

<b>Performance Measure:#1</b>	<b>Number and percentage of new participants who are admitted to the waiver for Individuals Age 65 or Older who met nursing facility LOC. (Numerator = # of participants admitted meeting NF LOC; Denominator = total # of participants admitted)</b>		
<b>Data Source:</b> LOC determination form			
If 'Other' is selected, specify:			
<b>LOC determination form</b>			
<b>MDS-HC</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	X State Medicaid Agency	<input type="checkbox"/> Weekly	X 100% Review
	X Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other Specify:	
		OA: Continuously and Ongoing.	<input type="checkbox"/> Other Specify:

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		SMA: At a minimum every 5 years	

### **Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Annually SMA: At a minimum every 5 years.

- b Sub-assurance: The levels of care of enrolled participants are reevaluated at least annually or as specified in the approved waiver.**

#### **i. Performance Measures**

**For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.**

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure:1</b>	<b>Number and percentage of participants for whom a full level of care re-evaluation was conducted, at a minimum of annually (within the calendar month of the last level of care evaluation). (Numerator = # of LOCs completed timely; Denominator = total # of LOCs required)</b>
<b>Data Source:</b>	
If 'Other' is selected, specify:	
LOC determination forms MDSHC	

State:	
Effective Date	

	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	Representative Sample; Confidence Interval = +/- 5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify	
		OA: Continuously and Ongoing.	<input type="checkbox"/> Other Specify:
		SMA: At minimum every five years	

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Annually. SMA: At a minimum every 5 years.

<b>Performance Measure:#2</b>	<b>Number and percentage of participants for whom level of care was screened at the time a substantial change in health status occurred, including at the conclusion of an inpatient stay in a medical facility, to determine if the individual continued to meet nursing facility level of care. (Numerator = # of screenings completed when required; Denominator = total # of screenings required)</b>
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):	

State:	
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If 'Other' is selected, specify:

**Participant records  
LOC Determination Form  
MDS-HC**

	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	+/-5%
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
		OA: Continuously and Ongoing. SMA: At a minimum every 5 years.	<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Annually SMA: At a minimum of every 5 years

<b>Performance Measure: #3</b>	<b>Number and percentage of participants for which a full level of care re-evaluation was conducted when indicated by a health status change screening. (Numerator = # of LOCs completed following a screening</b>
--------------------------------	--

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indicated one was required; Denominator = total # of LOCs required after screenings indicated one was necessary)			
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):			
If 'Other' is selected, specify:			
<b>LOC determination form</b>			
<b>MDS-HC</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
		OA: Continuously and Ongoing SMA: At a minimum of every 5 years	<input type="checkbox"/> Other Specify:

### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Annually. SMA: At a minimum of every 5 years

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- c **Sub-assurance: The processes and instruments described in the approved waiver are applied appropriately and according to the approved description to determine the initial participant level of care.**

**i. Performance Measures**

**For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.**

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure:#1</b>	<b>Number and percentage of participants for whom an assessment for level of care was conducted by a qualified Registered Nurse or Physician licensed in the state. (Numerator = # of assessments completed by an RN/Physician; Denominator = # of total assessments completed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):			
If 'Other' is selected, specify:			
<b>MDS-HC</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify	
		At a minimum every 5 years	<input type="checkbox"/> Other Specify:

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### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other	<input type="checkbox"/> Annually
Specify:	
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other
	Specify:
	At a minimum of every 5 years

<b>Performance Measure: #2</b>	<b>Number and percentage of participants for whom the Level of Care Determination Form accurately documents the LOC criteria based on the MDS-HC assessment. (Numerator = # of LOC forms correctly documenting LOC criteria; Denominator = total # of LOC forms completed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):			
If 'Other' is selected, specify:			
<b>Participant records</b>			
<b>LOC determination form</b>			
<b>MDS-HC</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other	<input type="checkbox"/> Annually	
	Specify:		

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		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other Specify:	
		OA: Continuously and Ongoing. SMA: At a minimum of every 5 years.	X Other Specify:
			OA: 100% Review SMA: Less than 100% review

### **Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	X Other Specify:
	OA: Annually SMA: At a minimum of every 5 years.

<b>Performance Measure:#3</b>	<b>Number and percentage of participants for whom Form 927, “Home and Community-Based Waiver Referral Form” documented the effective date of the applicant’s Medicaid eligibility determination and the effective date of the applicant’s level of care eligibility determination. (Numerator = # of 927 forms documenting the effective date of waiver eligibility; Denominator = total # of 927 forms required)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):			
If ‘Other’ is selected, specify:			
<b>Participant records Form 927</b>			
	<b>Responsible Party for data collection/generation</b>	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)

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	(check each that applies)		
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/- 5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		OA: Continuously and Ongoing. SMA: At a minimum every 5 years.	<input type="checkbox"/> Other Specify:

- ii If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

All individuals who request Aging Wwaiver services are pre-assessed by an intake worker at each AAA using the Aging Wwaiver Demographic Intake and Risk Screening Form. This form is used to determine if an individual is likely to meet nursing facility level of care eligibility. The individuals who are likely to meet nursing facility level of care are placed on an applicant list. Individuals who do not meet the minimum requirements are referred to other programs. Within ~~30 days~~two weeks of the availability of a slot and funding to accompany it, applicants who meet minimum requirements are evaluated by an R.N. using the *Minimum Data Set for Home Care (MDS-HC)* tool to determine if the applicant meets nursing facility level of care. Based on the MDS-HC assessment, the level of care criteria is documented on the *Level of Care Determination Form*.

All initial level of care evaluations and annual re-evaluations are submitted to the DAAS Aging Wwaiver Program Manager RN or designated DAAS RN for review, eligibility, completeness of information and approval. ~~The Program Manager reviews all initial level of care evaluations and annual re-evaluations for eligibility and completeness of information.~~ WWhen insufficient information is submitted to support the level of care determination, the DAAS Program Manager RN or designated DAAS RN will request additional information from the AAA R.N., which will result in approval or denial of eligibility. Enrollment in the Aging Wwaiver program is permitted only after the date the applicant has been determined to meet both eligibility for the Medicaid program and the date nursing facility LOC has been determined. Form 927 "Home and Community-Based Waiver Referral Form" is used to document these dates.

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The SMA conducts an annual review of the Aging ~~W~~waiver program for each of the five waiver years. At a minimum, one comprehensive review will be conducted during this five year cycle. The comprehensive review will include reviewing a random sample of care plans, Level of Care, MDS-HC assessments and other required documentation from each AAA to be sure all items are compliant with all current policy, rules and regulations~~participant and provider interviews.~~ The other annual reviews will be focused reviews. The criteria for the focused reviews will be determined from DAAS and SMA review findings as well as other issues that develop during the review year. The sample size for each review will be sufficient to provide a confidence level equal to ~~80~~95% and a confidence interval equal to 5.

**b. Methods for Remediation/Fixing Individual Problems**

- i Describe the State's method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.*

Individual issues identified by the SMA and DAAS that affect the health and welfare of individual participants are addressed immediately. Issues requiring immediate attention are addressed in a variety of ways. Depending on the circumstances of the individual case the interventions could include: contacting the OA, case management and/or direct care provider agencies requiring an immediate review and remediation of the issue, reporting the issue to APS and/or local law enforcement or the state's Medicaid Fraud Control Unit, the licensing authority or the survey/certification authority. To assure the issue has been addressed, entities assigned the responsibility of review and remediations are required to report back to the OA or SMA on the results of their interventions within designated time frames. A description of issues requiring immediate attention and outcomes are documented through the SMA final report. Issues that are less immediate are corrected within designated time frames and are documented through the SMA final review report. When the SMA determines that an issue is resolved, notification is provided and documentation is maintained by the SMA.

**ii Remediation Data Aggregation**

Remediation-related Data Aggregation and Analysis (including trend identification)

<b>Remediation-related Data Aggregation and Analysis (including trend identification)</b>	<b>Responsible Party (check each that applies)</b>	<b>Frequency of data aggregation and analysis: (check each that applies)</b>
	X State Medicaid Agency	<input type="checkbox"/> Weekly
	X Operating Agency	<input type="checkbox"/> Monthly

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	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
	<input type="checkbox"/> Other: Specify:	<input type="checkbox"/> Annually
		<input type="checkbox"/> Continuously and Ongoing
		X Other: Specify:
		OA: Annually. SMA: Continuously and Ongoing

**c. Timelines**

*When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Level of Care that are currently non-operational.*

<input checked="" type="radio"/> X	No
<input type="radio"/> O	Yes

*Please provide a detailed strategy for assuring Level of Care, the specific timeline for implementing identified strategies, and the parties responsible for its operation.*

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## Appendix B-7: Freedom of Choice

**Freedom of Choice.** *As provided in 42 CFR §441.302(d), when an individual is determined to be likely to require a level of care for this waiver, the individual or his or her legal representative is:*

- i. informed of any feasible alternatives under the waiver; and*
- ii. given the choice of either institutional or home and community-based services.*

- a. Procedures.** Specify the State's procedures for informing eligible individuals (or their legal representatives) of the feasible alternatives available under the waiver and allowing these individuals to choose either institutional or waiver services. Identify the form(s) that are employed to document freedom of choice. The form or forms are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Freedom of choice between care in a facility and home and community-based waiver service is documented by the appropriate AAA on the form entitled Documentation of LTC Program Choice and Right to Fair Hearing which is reviewed with the participant and signed by the participant or their representative. The form is also reviewed by DAAS as part of its annual monitoring and auditing of each AAA. The results of the monitoring and auditing, of each AAA, are detailed in the AAA monitoring and audit reports that DAAS compiles and sends on to the SMA for its review.

Freedom of choice procedures:

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1. The AAA, with designated operating agency functions, will offer the choice of waiver services when:
  - a. The individual's needs assessment indicates the services the individual requires can be met in the community,
  - b. The care plan has been agreed to by all and
  - c. The health and welfare of the individual can be adequately protected in relation to the delivery of waiver services and supports.
2. The SMA will provide an opportunity for a fair hearing, under 42 CFR Part 431, subpart E, to beneficiaries who are not given the choice of home or community-based services as an alternative to the facility-based care specified for this request, or who are denied waiver service(s) or waiver provider(s).

- b. Maintenance of Forms.** Per 45 CFR § 92.42, written copies or electronically retrievable facsimiles of Freedom of Choice forms are maintained for a minimum of three years. Specify the locations where copies of these forms are maintained.

Freedom of Choice forms are found in each participant's file, located ~~at~~ the AAA in which they are enrolled as a participant.

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## Appendix B-8: Access to Services by Limited English Proficient Persons

**Access to Services by Limited English Proficient Persons.** Specify the methods that the State uses to provide meaningful access to the waiver by Limited English Proficient persons in accordance with the Department of Health and Human Services “Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons” (68 FR 47311 - August 8, 2003):

Medicaid providers are required to provide foreign language interpreters for Medicaid clients who have limited English proficiency. Waiver participants are entitled to the same access to an interpreter to assist in making appointments for qualified procedures and during those visits. Providers must notify participants that interpretive services are available at no charge. The SMA encourages participants to use professional services rather than relying on a family member or friend though the final choice is theirs. Using an interpretive service provider ensures confidentiality as well as the quality of language translation.

Information regarding access to Medicaid Translation Services is included in the Medicaid Member Guide distributed to all Utah Medicaid recipients. Eligible individuals may access translation services by calling the Medicaid Helpline.

For the full text of the Medicaid Member Guide, go to:

[http://health.utah.gov/umb/forms/pdf/Medicaid\\_Member\\_Guide.pdf](http://health.utah.gov/umb/forms/pdf/Medicaid_Member_Guide.pdf)

<http://health.utah.gov/umb/forms/pdf/mg-w-cover.pdf>

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## Appendix C: Participant Services

### Appendix C-1/C-3: Summary of Services Covered and Services Specifications

**C-1-a. Waiver Services Summary.** Appendix C-3 sets forth the specifications for each service that is offered under this waiver. *List the services that are furnished under the waiver in the following table. If case management is not a service under the waiver, complete items C-1-b and C-1-c:*

Statutory Services (check each that applies)		
Service	Included	Alternate Service Title (if any)
Case Management	X	
Homemaker	X	
Home Health Aide	<input type="checkbox"/>	
Personal Care	<input type="checkbox"/>	
Adult Day Health	X	
Habilitation	<input type="checkbox"/>	
Residential Habilitation	<input type="checkbox"/>	
Day Habilitation	<input type="checkbox"/>	
Prevocational Services	<input type="checkbox"/>	
Supported Employment	<input type="checkbox"/>	
Education	<input type="checkbox"/>	
Respite	X	
Day Treatment	<input type="checkbox"/>	
Partial Hospitalization	<input type="checkbox"/>	
Psychosocial Rehabilitation	<input type="checkbox"/>	
Clinic Services	<input type="checkbox"/>	
Live-in Caregiver (42 CFR §441.303(f)(8))	<input type="checkbox"/>	
Other Services (select one)		
<input type="radio"/>	Not applicable	
X	As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional services not specified in statute (list each service by title):	
a.	Adult Companion Services	
b.	Chore Services	

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c.	Environmental Accessibility Adaptations	
d.	Community <del>Living Transition</del> Services	
e.	Medication Reminder Systems	
f.	Personal Attendant Services	
g.	<del>Personal Attendant Program Training</del>	
h.	Personal Budget Assistance	
i.	Personal Emergency Response Systems Response Center Service	
j.	Personal Emergency Response Systems Purchase, Rental and Repair	
k.	Personal Emergency Response Systems Installation, Testing and Removal	
l.	Specialized Medical Equipment/Supplies/Assistive Technology	
m.	Supplemental Meals	
n.	Transportation Services (Non-medical)	
<b>Extended State Plan Services</b> ( <i>select one</i> )		
<input type="radio"/>	Not applicable	
X	The following extended State plan services are provided ( <i>list each extended State plan service by service title</i> ):	
a.	Enhanced State Plan Supportive Maintenance Home Health Aide Services	
b.		
c.		
<b>Supports for Participant Direction</b> ( <i>check each that applies</i> )		
X	The waiver provides for participant direction of services as specified in Appendix E. The waiver includes Information and Assistance in Support of Participant Direction, Financial Management Services or other supports for participant direction as waiver services.	
<input type="checkbox"/>	The waiver provides for participant direction of services as specified in Appendix E. Some or all of the supports for participant direction are provided as administrative activities and are described in Appendix E.	
<input type="radio"/>	Not applicable	
Support	Included	Alternate Service Title (if any)
Information and Assistance in Support of Participant Direction	<input type="checkbox"/>	
Financial Management Services	X	
Other Supports for Participant Direction ( <i>list each support by service title</i> ):		
a.		
b.		

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c.

### C-1/C-3: Service Specification-

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Specification	
Service Title:	<b>Case Management</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:
Service Definition (Scope):	
<p><b>Case Management</b> serves the purpose of maintaining the individual in the Home and Community-Based Services <u>Aging</u> Waiver in accordance with program requirements and the person's assessed service needs, and coordinating the delivery of quality waiver services. Waiver Case Management consists of the following activities:</p> <ul style="list-style-type: none"> <li>(a) Validate the comprehensive assessment and the comprehensive care plan for an individual enrolled in the waiver program,</li> <li>(b) Consult with the agency responsible for waiver eligibility determination;</li> <li>(c) Research the availability of non-Medicaid resources needed by the individual to address needs identified through the comprehensive assessment process and assist the individual in gaining access to these resources, regardless of the funding source;</li> <li>(d) Assist the individual to gain access to available Medicaid State Plan services necessary to address needs identified through the comprehensive assessment process;</li> <li>(e) Assist the individual to select, from available choices on an array of waiver services to address needs identified through the comprehensive assessment process and to select from available choices of providers to deliver each of the waiver services;</li> <li>(f) Assist the individual to request a fair hearing if choice of waiver services or providers is denied;</li> <li>(g) Monitor to assure the provision and quality of the services identified in the individual's care plan;</li> </ul>	

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- (h) Instruct the individual/legal representative/family how to independently obtain access to services when other funding sources are available;
- (i) Monitor on an ongoing basis the individual's health and welfare status and initiating appropriate reviews of service needs and care plans as needed;
- (j) Coordinate with other Medicaid programs to achieve a holistic approach to care;
- (k) Provide case management and transition planning services up to 90 days immediately prior to the date an individual transitions from a nursing facility to the waiver program;
- (l) Provide discharge-planning services to an individual disenrolling from the waiver;
- ~~(m) Participate in the person-centered care planning process with the participant and/or their personal representative.~~

When a waiver participant elects to enroll in hospice care, waiver Case Managers shall coordinate with the hospice case management agency upon commencement of hospice services to develop a coordinated plan of care that clearly defines the roles and responsibilities of each program.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

~~Provider entities having the capacity to perform case management functions and other waiver or non-waiver services must assure that the functions of the entity are clearly separated and their respective responsibilities well defined. If the AAA or AAA or case management agency is listed on a comprehensive care plan as the provider for other waiver or non-waiver services, the AAA or case management agency must document that there are no other willing qualified providers available to provide the other waiver or non-waiver service(s). This includes instances where the AAA or case management agency pays for goods and services purchased from retail stores, general contractors or other entities not directly enrolled as Medicaid providers.~~

~~Case management agencies may not assign individual case managers to serve a waiver participant when any one or more of the following scenarios exist:~~

- ~~1. the case manager is related to the waiver participant by blood or by marriage,~~
- ~~2. the case manager is related to any of the waiver participant's paid caregivers by blood or by marriage,~~
- ~~3. the case manager is financially responsible for the waiver participant,~~
- ~~4. the case manager is empowered to make financial or health-related decisions on behalf of the individual, or~~
- ~~5. the case manager would benefit financially from the provision of direct care services included in the care plan.~~

~~Direct services not included in the service description above are not reimbursable under case management-. (Examples of non-reimbursable services: transporting clients, directly assisting with packing and/or moving, personal budget assistance, shopping, and any other direct service that is not in line with the approved case management service description.)~~

~~By July 1, 2017, Utah will fully implement the use of a Financial Management Service (FMS) entity will reimburse for goods and services purchased from retail stores, general contractors or other entities not directly enrolled as Medicaid providers. The State Medicaid Agency will reimburse the FMS entity as an administrative activity.~~

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<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/>	Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative
	<input type="checkbox"/>		<input type="checkbox"/>	Legal Guardian
<b>Provider Specifications</b>				
Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	x	Agency. List the types of agencies:
				Individual Medicaid Providers
<b>Provider Qualifications</b>				
Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)	
Medicaid provider enrolled to provide Waiver Case Management Services	RN: UCA 58-31b-301 or SSW: UCA 58-60-205	Certification through the National Academy of Certified Care Managers (CMC)	Provider organizations/individuals enrolled to perform the responsibilities of the Waiver Case Management covered service may not provide other direct waiver services.	
<b>Verification of Provider Qualifications</b>				
Provider Type:	Entity Responsible for Verification:		Frequency of Verification	
Individual Medicaid Providers	Division of Aging and Adult Services		Annually	

<b>Service Specification</b>	
Service Title:	<b>Homemaker</b>
HCBS Taxonomy	
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:

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Category 4:	Sub-Category 4:		
Service Definition (Scope):			
<b>Homemaker Services</b> consist of general household activities (meal preparation, <u>laundry</u> and routine household care) provided by a trained homemaker, when the individual regularly responsible for those activities is temporarily absent or unable to manage the home and care for him or herself or others in the home.			
Specify applicable (if any) limits on the amount, frequency, or duration of this service:			
<b>Limitations:</b> Homemaker Services will not be provided when the involved activities duplicate activities concurrently being provided through another covered waiver service.			
<u>Service Limit: Homemaker Services are limited to six hours or less per week. If more than six hours are required, the Division of Aging and Adult Services will need to authorize the additional hours.</u>			
<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/> Participant-directed as specified in Appendix E <input type="checkbox"/> Provider managed		
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/> Legally Responsible Person <input type="checkbox"/> Relative <input type="checkbox"/> Legal Guardian		
<b>Provider Specifications</b>			
Provider Category(s) (check one or both):	<input type="checkbox"/> Individual. List types: <input checked="" type="checkbox"/> Agency. List the types of agencies:		
	Homemaker Service Provider		
<b>Provider Qualifications</b>			
Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
Medicaid provider enrolled to provide Homemaker Services	Current business license if applicable		Demonstrated ability to perform the tasks.
<b>Verification of Provider Qualifications</b>			
Provider Type:	Entity Responsible for Verification:		Frequency of Verification
Homemaker Service Provider	Division of Aging and Adult Services		Annually

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Service Specification			
Service Title:	Adult Day Health Services		
Category 1:	Sub-Category 1:		
Category 2:	Sub-Category 2:		
Category 3:	Sub-Category 3:		
Category 4:	Sub-Category 4:		
Service Definition (Scope):			
<b>Adult Day Health Services</b> serve the purpose of providing a supervised setting during which health and social services are provided on an intermittent basis to ensure the optimal functioning of the waiver participant.			
Specify applicable (if any) limits on the amount, frequency, or duration of this service:			
<b>Limitations:</b> Adult Day Health Services are generally furnished 4 or more hours per day on a regularly scheduled basis, for one or more days per week, or as specified in the care plan. Meals provided as part of these services do not constitute a full nutritional regimen (3 meals per day).			
Transportation between the individual's place of residence and the adult day care setting will be a separate component and not inclusive in the adult day care rate.			
<u>Participants cannot receive Adult Day Health Services and LTC Facility Respite Care Services on the same day.</u>			
Service Delivery Method (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/> Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/> Relative <input type="checkbox"/> Legal Guardian
Provider Specifications			
Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	X Agency. List the types of agencies:
			Adult Day Health Service Provider
Provider Qualifications			
Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
Medicaid provider	Adult Day Center: UAC R501-13		

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enrolled to provide Adult Day Health Services	<b>or</b> Nursing Facility: UAC R432-150-6 <b>or</b> Assisted Living Facility: UAC R432-270-29b		

**Verification of Provider Qualifications**

Provider Type:	Entity Responsible for Verification:	Frequency of Verification
Adult Day Health Service Provider	Division of Aging and Adult Services	Annually

**Service Specification**

Service Title:	<b>Respite Care Services</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:

**Service Definition (Scope):**

**Respite Care Services** consist of care rendered by an attendant, companion, personal care worker, homemaker, home health aide etc., which is provided during the absence of, or to relieve the normal care giver while the covered individual is living in their normal place of residence and that residence is not a long term care facility. Homemaking and Companion can be a component of the respite service. Respite Care Services may include hHomemaking services and Adult cCompanion sServices while in the individual's place of residence. Respite care services are not restricted to the individual's place of residence.

Respite Care Services may be provided in the following locations:

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- (a) Individual's home or place of residence
- (b) Respite Provider's place of residence
- (c) Other community-based setting meeting HCBS Setting Requirements

Skilled respite is used when any of the following needs/services are provided in conjunction with during the respite service:

- 1. Parenteral lines/enteral tube feeding
- 2. Wound care/dressing changes
- 3. Toileting/skilled includes: (\*skilled)
  - a. Catheters/ostomy/stoma/rectal tubing care
  - b. Assisting with enemas and/or suppositories
  - c. Assist with bladder and bowel needs or problems for persons with a known infection risk
- 4. Tracheostomy care
- 5. Suctioning
- 6. Care related to IV's and PICC lines
- 7. Care related to any equipment or supplies such as ventilators and oxygen equipment
- 8. Oral feeding for participants at risk of aspiration
- 9. Medical skin care
- 10. Medication administration (In compliance with the Utah Nurse Practice Act – within the scope of licensure)

Unskilled respite is used when any of the following needs/services are provided in conjunction with the respite service:

- 1. Mobility in bed
- 2. Transferring
- 3. Locomotion in and outside the home
  - a. Assisting with ambulation including arm support, using a cane, crutches, walker, wheelchair, or other assistive device
- 4. Dressing
- 5. Oral Feeding for participants without a risk of aspiration
- 6. Providing minimal assistance with or supervision of toileting (excludes \*skilled toileting cares)
  - a. Assist with bladder and bowel needs or problems
  - b. Assist with ambulating to the bathroom
  - c. Assist with bed pan routines for non-bed bound participants
- 7. Providing minimal assistance with or supervision of personal Hygiene
  - a. Basic nail care for patients with normal nail thickness, normal foot and hand sensation and no history of disease processes that are high risk for foot or hand complications (as outlined in the participant's care plan)
  - b. Oral including tooth and denture care
- 8. Providing minimal assistance with or supervision of bathing (Complete bathing needs to be performed by a home health aide)
  - a. Shampoo and hair care
  - b. Non-medical skin care (according to the participant's care plan)

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c. Shaving (with electric razor only)  
9. Administering emergency first aid  
10. Meal preparation, planning and cleanup  
11. Ordinary housework  
12. Laundry  
13. Managing Finances (includes assistance with simple budgeting, paying bills, etc.)  
14. Medication reminders and cueing (In compliance with the Utah Nurse Practice Act, Personal Assistants may not administer medications, including the application of prescription ointments or creams)  
15. Shopping  
16. Transporting the participant

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

**Limitations:** The provision of respite care will be provided through the following provider organizations as approved by the State:

(a) Home Health Agency;  
 (b) Personal Care Agency;  
~~(c) Area Agency on Aging;~~  
~~(cd)~~ Companion Service;  
~~(de)~~ Homemaker Service;  
~~(fe)~~ Adult Day Health Provider.

In a 24 hour period, the hourly respite rate may not exceed the rate paid for daily nursing facility long term care respite.

<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/>	Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative
	<input type="checkbox"/>		<input type="checkbox"/>	Legal Guardian

Provider Specifications			
Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	X Agency. List the types of agencies:
			Respite Care Service Provider

Provider Qualifications			
Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
Medicaid provider enrolled to provide Respite Care Services	Home Health Agency: UAC R432-700 <b>or</b>		Demonstrated ability to perform the tasks.

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	Adult Day Center: UAC R501-13-1-13  <b>or</b> Other Organizations: Current business license		

**Verification of Provider Qualifications**

Provider Type:	Entity Responsible for Verification:	Frequency of Verification
Respite Care Service Provider	Division of Aging and Adult Services	Annually

Service Specification	
Service Title:	<b>Respite Care Services-LTC Facility</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:
Service Definition (Scope):	
<p><b>LTC Facility Respite Care Services</b> consist of care furnished in a licensed long term care facility during the absence of, or to relieve, the normal caregiver. Each respite care episode is limited to a period of 13 consecutive days or less not counting the day of discharge.</p> <p>LTC Facility Respite Care Services may be provided in the following locations:</p>	

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(a) Licensed Health Care Facility (b) Licensed Residential Treatment Facility			
Specify applicable (if any) limits on the amount, frequency, or duration of this service:			
<b>Limitations:</b> Federal Financial Participation (FFP) will not be claimed for the cost of room and board except when provided as part of respite care in a facility approved by the State that is not the person's private residence. These state approved facilities include the following locations:			
(a) Licensed Health Care Facility (b) Licensed Residential Treatment Facility			
<u>Participants cannot receive Adult Day Health Services and cannot be reimbursed for on the same day that a participant is receiving LTC Facility Respite Care Services on the same day are provided.</u>			
<u>Participants are limited to six LTC respite care episodes per year, additional LTC respite care episodes will need to be approved by DAAS.</u>			
<b>Service Delivery Method</b> <i>(check each that applies):</i>	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/>
			Provider managed
Specify whether the service may be provided by <i>(check each that applies):</i>	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>
		Relative	<input type="checkbox"/>
		Legal Guardian	<input type="checkbox"/>
<b>Provider Specifications</b>			
Provider Category(s) <i>(check one or both):</i>	<input type="checkbox"/>	Individual. List types:	<input checked="" type="checkbox"/>
			Agency. List the types of agencies:
			LTC Facility Respite Care Service Provider
<b>Provider Qualifications</b>			
Provider Type:	License <i>(specify)</i>	Certificate <i>(specify)</i>	Other Standard <i>(specify)</i>
Medicaid provider enrolled to provide Respite Care Services - LTC Facility	Nursing Facility: UAC R432-150 <b>or</b> Assisted Living Facility: UAC R432-270 <b>or</b> Residential Treatment Facility: UAC R501-19-13 <b>or</b> Swing Bed Unit: UAC R432-100-4		

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<b>Verification of Provider Qualifications</b>			
Provider Type:	Entity Responsible for Verification:	Frequency of Verification	
LTC Facility Respite Care Service Provider	Division of Aging and Adult Services	Annually	

Service Specification			
Service Title:	<b>Adult Companion Services</b>		
Category 1:	Sub-Category 1:		
Category 2:	Sub-Category 2:		
Category 3:	Sub-Category 3:		
Category 4:	Sub-Category 4:		
Service Definition (Scope):			
<p><b>Adult Companion Services</b> serve the purpose of supporting community activity and preventing social isolation.</p> <p>Adult companion services involve non-medical care, supervision and socialization. Companions may assist or supervise the individual with such tasks as meal preparation, laundry, and shopping, but do not perform these activities as discrete services. The provision of companion services does not entail hands-on nursing care. Providers may also perform light housekeeping tasks, which are incidental to the care and supervision of the individual. The service is provided in accordance with the care plan and is not purely diversionary in nature.</p>			
Specify applicable (if any) limits on the amount, frequency, or duration of this service:			
<p><b>Limitations:</b> Adult Companion Services will not be provided when the involved activities duplicate activities concurrently being provided through another covered waiver service.</p>			
<b>Service Delivery Method</b> <i>(check each that applies):</i>	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/>
			Provider managed
Specify whether the service may be provided by <i>(check each that applies):</i>	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>
		Relative	<input type="checkbox"/>
			Legal Guardian

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Provider Specifications			
Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	<input checked="" type="checkbox"/> Agency. List the types of agencies:
			Adult Companion Service Provider
Provider Qualifications			
Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
Medicaid provider enrolled to provide Adult Companion Services	Current business license if applicable.		Demonstrated ability to perform the tasks.
Verification of Provider Qualifications			
Provider Type:	Entity Responsible for Verification:		Frequency of Verification
Adult Companion Service Provider	Division of Aging and Adult Services		Annually

Service Specification	
Service Title:	<b>Chore Services</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:
Service Definition (Scope):	

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**Chore Services** include services needed to maintain a clean, sanitary, and safe environment. This service includes any deep cleaning household chores, repair of tile, walls, and flooring, and extermination of rodents and bugs. It may also include snow removal, lawn care or other unforeseen services needed to assist in providing a clean, sanitary and safe environment. These services are provided only when neither the participant nor anyone in the household is capable of performing or financially providing for them, and where no other relative, caregiver, landlord, community/volunteer agency, or third party payer is capable of or responsible for their provision. In the case of a rental property, the responsibility of the landlord, pursuant to the lease agreement, is examined prior to any authorization of service.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

**Limitations:**

**General Limitations:** Each chore service exceeding \$1,000.00 must be prior approved by the Division of Aging and Adult Services based on a determination of necessity and confirmation that no other payment source is available.

**Service Limit:** The maximum allowable cost per service is \$2,000.00. At the point a waiver participant reaches the service limit, the Division of Aging and Adult Services will conduct an evaluation to determine how the individual's health and welfare can continue to be assured through authorization for additional service beyond the limit or alternative arrangements that meet the individual's needs while remaining in a community setting.

<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/>	Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative
	<input type="checkbox"/>		<input type="checkbox"/>	Legal Guardian

**Provider Specifications**

Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	X	Agency. List the types of agencies:
				Chore Service Provider

**Provider Qualifications**

Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
Medicaid provider enrolled to provide Chore Services	Current business license if applicable.		Demonstrated ability to perform the tasks.

**Verification of Provider Qualifications**

Provider Type:	Entity Responsible for Verification:	Frequency of Verification
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Chore Service Provider	Division of Aging and Adult Services	Annually

Service Specification	
<b>Service Title:</b>	<b>Environmental Accessibility Adaptations</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:
<b>Service Definition (Scope):</b>	
<p><b>Environmental Accessibility Adaptations</b> involves equipment and/or physical adaptations which are necessary to assure the health, welfare and safety of the individual, or which enable the individual to function with greater independence, and without which, the individual would require facility care. The equipment/adaptations are identified in the individual's care plan and the model and type of equipment are specified by a qualified individual. The adaptations may include purchase, installation, and repairs. Authorized equipment/adaptations include:</p> <ul style="list-style-type: none"> <li>(a) Ramps</li> <li>(b) Grab bars</li> <li>(c) Widening of doorways/hallways</li> <li>(d) Modifications of bathroom/kitchen facilities</li> <li>(e) Modification of electric and plumbing systems which are necessary to accommodate the medical equipment, care and supplies that are necessary for the welfare of the individual.</li> <li>(f) Modifications <u>or equipment</u> to assist in controlling the temperature of the environment in which the individual resides.</li> </ul>	
Specify applicable (if any) limits on the amount, frequency, or duration of this service:	
<p><b>Limitations:</b></p> <p>General Limitations: Adaptations which add to the total square footage of a home are excluded from this benefit. Adaptations to living arrangements that are owned or leased by providers of waiver services are also excluded from this benefit. The ownership limitation does not apply if the participant is living in the residence of a family member or friend who is providing self-directed services to the waiver participant. Adaptions to such a residence are permissible. The case management agency will document all funding resources explored and reasons alternative funding is not available. Each environmental accessibility adaptation, which exceeds \$2,000.00, must be prior approved by the</p>	

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Division of Aging and Adult Services based on a determination of necessity to assure the health, welfare, and safety of the individual. All services shall be provided in accordance with applicable State or local building codes.

**Service Limit:** The maximum allowable cost per environmental accessibility adaptation is \$5,000.00. At the point a waiver participant reaches the service limit, the Division of Aging and Adult Services will conduct an evaluation to determine how the individual's health and welfare can continue to be assured through authorization for additional service beyond the limit or alternative arrangements that meet the individual's needs while remaining in a community setting.

<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/>	Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative
	<input type="checkbox"/>		<input type="checkbox"/>	Legal Guardian

**Provider Specifications**

Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	<input checked="" type="checkbox"/>	Agency. List the types of agencies:
				Environmental Accessibility Adaption Provider

**Provider Qualifications**

Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
Medicaid provider enrolled to provide Environmental Accessibility Adaptations	Current business license if applicable <u>and Contractor's License if applicable</u>		

**Verification of Provider Qualifications**

Provider Type:	Entity Responsible for Verification:	Frequency of Verification
Environmental Accessibility Adaptions Provider	Division of Aging and Adult Services	Annually

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Service Specification	
Service Title:	Community <b>LivingTransition</b> Services
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:
Service Definition (Scope):	
<p><b>Community <b>LivingTransition</b> Services</b> include non-recurring expenses which allow for the provision of essential household items and/or services necessary to maintain health and welfare and to establish or maintain community living. Essential household items or services may include basic furnishings, <b>replacement of worn or soiled household items or furnishings</b>, cleaning devices and supplies and kitchen and bathroom equipment. This service includes moving expenses required to occupy and use <del>at the</del> residence. This service also includes one-time non-refundable fees to establish utility services and other services essential to the operation of the residence.</p>	
Specify applicable (if any) limits on the amount, frequency, or duration of this service:	
<p><b>Limitations:</b> Community <b>LivingTransition</b> Services will not provide reimbursement for the cost of rent or food. Reimbursable items or services are limited to only those household items that are essential and are not covered under any other service available in the waiver. Reimbursement for the cost of refundable fees or deposits is not a covered expense under this service.</p> <p>Community <b>LivingTransition</b> Services may not be used to pay for furnishing living arrangements that are owned or leased by a waiver provider where the provision of these items and services are inherent to the service they are already providing. Likewise, Community <b>LivingTransition</b> Services may not be used to pay for items that are the responsibility of the landlord or property owner.</p> <p>This service is a non-recurring set up expense for individuals <b>residing in the community or</b> transitioning from a facility or another provider-operated living arrangement to a living arrangement in a private residence where they are directly responsible for their own living expenses.</p> <p>General Limitations: Each service exceeding \$1,000.00 must be prior approved by the Division of Aging and Adult Services based on a determination of necessity and confirmation that no other payment source is available.</p> <p>Service Limit: The maximum allowable cost per service is \$2,000.00. At the point a waiver participant reaches the service limit, the Division of Aging and Adult Services will conduct an evaluation to determine how the individual's health and welfare can continue to be assured through authorization for additional service beyond the limit or alternative arrangements that meet the individual's needs while remaining in a community setting.</p>	

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<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/>	Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative
	<input type="checkbox"/>		<input type="checkbox"/>	Legal Guardian
<b>Provider Specifications</b>				
Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	X	Agency. List the types of agencies:
				Community <del>LivingTransition</del> Supplier of household furnishings, equipment and supplies
<b>Provider Qualifications</b>				
Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)	
Community <del>LivingTransition</del> Supplier	Current business license if applicable			
<b>Verification of Provider Qualifications</b>				
Provider Type:	Entity Responsible for Verification:		Frequency of Verification	
Community <del>LivingTransition</del> Supplier	Division of Aging and Adult Services		Annually	

<b>Service Specification</b>	
Service Title:	<b>Medication Reminder System</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:

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Category 4:	Sub-Category 4:		
Service Definition (Scope):			
<p><b>Medication Reminder System</b> provides a medication reminder by a third party entity or individual that is not the clinician responsible for prescribing and/or clinically managing the individual, not the entity responsible for the administration of medication, and not the entity responsible for the provision of nursing or personal care, attendant care, or companion care services. Services include non-face-to-face medication reminder techniques (e.g. phone calls, telecommunication devices, medication dispenser devices with electronic alarms which alert the individual and a central response center staffed with qualified individuals, etc.).</p>			
Specify applicable (if any) limits on the amount, frequency, or duration of this service:			
<p><b>Limitations:</b> The Medication Reminder System category covers only the ongoing service fee. Medication reminder system purchase or rental, installation, and testing are elements of the Specialized Medical Equipment/Supplies/Assistive Technology waiver service.</p>			
Service Delivery Method (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/> Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/> Relative <input type="checkbox"/> Legal Guardian
<b>Provider Specifications</b>			
Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	X Agency. List the types of agencies:
			Medication Reminder System Provider
<b>Provider Qualifications</b>			
Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
Medicaid provider enrolled to provide Medication Reminder Systems	Current business license if applicable.		
<b>Verification of Provider Qualifications</b>			
Provider Type:	Entity Responsible for Verification:		Frequency of Verification
Medication Reminder System Provider	Division of Aging and Adult Services		Annually

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Service Specification	
Service Title:	<b>Personal Attendant Services</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:
Service Definition (Scope):	
<p><b>Personal Attendant Services</b> include physical and/or cognitive assistance with eating, bathing, dressing, personal hygiene, and activities of daily living. This service may also include assistance with preparation of meals, but does not include the cost of the meals themselves, homemaker services or chore services. It is acceptable to arrange for Personal Attendant Services to be provided during periods when the primary, unpaid caregiver is away. Thus serving a secondary purpose of providing respite, as a self-administered service, to the caregiver. Specific services outlined in the care plan must be coordinated with available State Plan personal care services and other covered waiver services to prevent duplication of services (i.e., having a service provided, such as homemaking through a traditional provider, and then duplicating that service by having a Personal Attendant provide it too). This covered waiver service may be provided via a participant-directed approach or the traditional provider method.</p> <p>Participant-directed services method: The individual or another duly appointed party, under applicable laws of the State, exercises control over specified staffing decisions relating to his or her personal attendant, including control over the selection and retention of the personal attendant, supervision of the attendant's activities and verification of the personal attendant's time sheet. Providers of Personal Attendant Services may include agency-employed staff when the agency agrees to support the individual's control over specified staffing decisions relating to his or her personal attendant provided by the agency in keeping with the participant-directed services method.</p> <p>In the case of an individual who cannot direct his or her own personal attendant, another person may be appointed as the decision-maker in accordance with applicable State law. The appointed person must perform supervisory activities at a frequency and intensity specified in the Designation of</p>	

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Personal Representative Agreement form. The individual or appointed person may also train the attendant to perform assigned activities.

Waiver enrollees determined to need the types of services provided by the Personal Attendant Services category will be informed of the opportunity to receive the service through the participant-directed services method. Information will include the option to directly employ the personal attendant or to utilize an agency-employed personal attendant, and the scope and nature of the Fiscal Management Agency that is used when the personal attendant is directly employed.

A case file notation will be made regarding the adequacy of the services provided, any training or retraining necessary, and the continued appropriateness and feasibility of the attendant providing services. The Case Manager will arrange with provider agencies for all training needs of the personal attendants.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

**Limitations:**

**General Limitations:** In certain cases, an individual may be deemed unable to adequately perform necessary supervisory activities when circumstances render the Personal Representative incapable of performing the supervisory activities that are in the best interest of the participant. In the event it is determined that the individual is unable to adequately perform necessary supervisory activities and has no qualified appointed person to direct the personal attendant, alternative waiver services will be arranged by the local/regional non-state entities utilizing appropriate agencies. Persons having case management involvement with the individual may not serve as surrogates responsible for directing the activities of the personal attendant. Payment will not be made for services furnished by the individual's spouse or other individuals who have a legal responsibility to furnish the services.

Personal Attendant Services are to be a supplement to State plan Personal Care services and the amount, duration, and frequency of Personal Attendant Services must take into account full utilization of State plan personal care services. Medicaid reimbursement is not available for Personal Attendant Services performed for other members of the family. Personal Attendant Services will not be provided when the involved activities duplicate activities concurrently being provided through another covered waiver service. Respite services may not be provided to give respite to the paid provider of Personal Attendant Services. Multiple personal attendants may be hired to assure the needed amount of Personal Attendant Services is provided (i.e., there may be more than one provider that delivers services at different times to the same participant to assure coverage of service).

**Service Limit:** Personal Attendant Services will not exceed five (5) hours per day. At the point a waiver participant reaches the service limit, the local/regional non-state entities will conduct an evaluation to determine how the individual's health and welfare can continue to be assured through a time-limited authorization for additional service beyond the limit until alternative arrangements are made to meet the individual's needs while remaining in a community setting.

**Fiscal Management Agency:** *When the personal attendant is employed directly by the participant, the individual is required to use a Fiscal Management Agency to assist with managing the employer-related financial responsibilities associated with the participant-directed model.*

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<b>Service Delivery Method</b> (check each that applies):	<input checked="" type="checkbox"/>	Participant-directed as specified in Appendix E	<input checked="" type="checkbox"/>	Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input checked="" type="checkbox"/>	Relative
	<input type="checkbox"/>		<input type="checkbox"/>	Legal Guardian
<b>Provider Specifications</b>				
Provider Category(s) (check one or both):	<input checked="" type="checkbox"/>	Individual. List types:	<input checked="" type="checkbox"/>	Agency. List the types of agencies:
		Self-directed Personal Attendant Service Provider		Personal Attendant Service Provider
		Traditional services method:		Individuals not using the participant-directed services method may choose a personal care agency or home health agency as their service provider.
<b>Provider Qualifications</b>				
Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)	
Medicaid provider enrolled to provide Personal Attendant Services	<u>Home Health Agency: UAC R432-700 Department of Health License or Personal Care Agency: UAC R432-725</u>		<p>Personal attendants will be authorized to provide specific services based on the individual's needs, the personal attendant's training and experience, and the degree and type of training and supervision required. In order to qualify as a Medicaid enrolled personal attendant, the applicant must be at least 18 years of age; have the ability to read, understand and carry out written and verbal instructions, write simple progress notes, demonstrate competency in all areas of assigned responsibility on an ongoing basis, <del>and</del> provide the <u>designated</u> operating agency with verification of a valid social security number, <del>a</del> copy of a current first aid certification from an accredited agency <u>is required at the time of initial enrollment certification.</u></p> <p>Personal attendants are subject to the requirements of Utah Code Annotated 26-21, 62A-2, and/or 62A-3, as applicable.</p>	
Self-directed Personal			Personal attendants will be authorized to provide specific services based on	

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Attendant Service Provider			<p>the individual's needs, the personal attendant's training and experience, and the degree and type of training and supervision required. In order to qualify as a Medicaid enrolled personal attendant, the applicant must be at least 18 years of age; have the ability to read, understand and carry out written and verbal instructions, write simple progress notes, demonstrate competency in all areas of assigned responsibility on an ongoing basis, and provide the <u>designated</u> operating agency with verification of a valid social security number. <u>A;</u> a copy of a current first aid certification from an accredited agency. and/or a copy of a certified nursing assistant certification <u>is required at the time of initial enrollment.</u></p> <p>Personal attendants are subject to the requirements of Utah Code Annotated 26-21, 62A-2, and/or 62A-3, as applicable.</p>

**Verification of Provider Qualifications**

Provider Type:	Entity Responsible for Verification:	Frequency of Verification
Personal Attendant Service Provider	Division of Aging and Adult Services	Annually

Service Specification	
Service Title:	<b>Personal Attendant Training Services</b>
Category 1:	Sub-Category 1:

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Category 2:	Sub-Category 2:		
Category 3:	Sub-Category 3:		
Category 4:	Sub-Category 4:		
<b>Service Definition (Scope):</b> <b>Personal Attendant Training Services</b> provide individualized training and instruction to the individual, family members, surrogates, and personal attendants. Training and instruction topics include explanation of the treatment regimes involved, proper performance of personal services, proper use of equipment, maintenance of a safe environment, and management activities associated with the employer/employee relationship. Training shall include updates as necessary to maintain the individual safely at home. Specific Personal Attendant Training services will be agreed upon by the individual, the Waiver Case Manager and the local/regional non-governmental non-state entities and included in the care plan.			
Specify applicable (if any) limits on the amount, frequency, or duration of this service:			
<b>Limitations:</b> Persons having case management involvement with an individual may not be providers of Personal Attendant Training Services to that individual.			
<b>Service Delivery Method</b> <i>(check each that applies):</i>	<input type="checkbox"/> Participant-directed as specified in Appendix E <input type="checkbox"/> Provider managed		
Specify whether the service may be provided by <i>(check each that applies):</i>	<input type="checkbox"/> Legally Responsible Person <input type="checkbox"/> Relative <input type="checkbox"/> Legal Guardian		
<b>Provider Specifications</b>			
Provider Category(s) <i>(check one or both):</i>	<input type="checkbox"/> Individual. List types: <input checked="" type="checkbox"/> Agency. List the types of agencies:		
	Personal Attendant Training Provider		
<b>Provider Qualifications</b>			
Provider Type:	License <i>(specify)</i>	Certificate <i>(specify)</i>	Other Standard <i>(specify)</i>
Medicaid provider enrolled to provide Personal Attendant Training	RN: UCA 58-31b-301 <b>or</b> PT: UCA 58-24a <b>or</b> OT: UCA 58-42a		
<b>Verification of Provider Qualifications</b>			

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Provider Type:	Entity Responsible for Verification:	Frequency of Verification
Personal Attendant Training Provider	Division of Aging and Adult Services	Annually

Service Specification

Service Title: **Personal Emergency Response Systems Response Center Service**

Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:

Service Definition (Scope):

**Personal Emergency Response Systems (PERS) Response Center Service** serves the purpose of enabling the individual who has the skills to live independently or with minimal support to summon assistance in an emergency.

This service provides ongoing access to a signal response center that is staffed twenty-four hours per day, seven days a week by trained professionals responsible for securing assistance in the event of an emergency.

~~Specialized Medical Equipment/Supplies/Assistive Technology includes devices, controls, or other appliances which are of direct medical or remedial benefit to the individual and items necessary for life support, ancillary supplies, and equipment necessary to the proper functioning of such items, and durable and non-durable medical equipment not available under the Medicaid State Plan. Automated, mechanical medication dispensing, and reminder equipment are included when more simple methods of medication reminders are determined to be ineffective by the designated operating agency nurse. The need for such devices is specified in the individual's care plan. Reimbursement shall include the purchase, installation, removal, replacement, and repair of approved equipment, supplies, and adaptations.~~

~~This service may also be used for the reimbursement of GPS (Global Positioning Systems) devices for an individual who has a documented health and safety risk. The supply and use of these items will only~~

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~~be provided with the approval of the person-centered planning team and with the informed consent of the individual or their legal representative (if applicable).~~

~~If there is a documented and assessed need for this GPS surveillance, the requirements for modifications apply:—~~

~~(1) Identify a specific and individualized assessed need.~~

~~(2) Document the positive interventions and supports used prior to any modifications to the person-centered service plan.~~

~~(3) Document less intrusive methods of meeting the need that have been tried but did not work.~~

~~(4) Include a clear description of the condition that is directly proportionate to the specific assessed need.~~

~~(5) Include regulation collection and review of data to measure the ongoing effectiveness of the modification.~~

~~(6) Include established time limits for periodic reviews to determine if the modification is still necessary or can be terminated.~~

~~(7) Include the informed consent of the individual.~~

~~(8) Include an assurance that interventions and supports will cause no harm to the individual.~~

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/>	Provider managed
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Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative	<input type="checkbox"/>	Legal Guardian
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**Provider Specifications**

<b>Provider Category(s)</b> (check one or both):	<input type="checkbox"/>	Individual. List types:	<input checked="" type="checkbox"/>	Agency. List the types of agencies:
				Personal Emergency Response Systems
				Response Center Service Provider

**Provider Qualifications**

Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
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Medicaid provider enrolled to provide Personal Emergency Response Systems Response Center Service	Current business license if applicable.		24 hour per day operation, 7 days per week  <u>The provider must test and record the outcome of the test at least monthly.</u>
<b>Verification of Provider Qualifications</b>			
Provider Type:	Entity Responsible for Verification:	Frequency of Verification	
Personal Emergency Response Systems Response Center Service Provider	Division of Aging and Adult Services	Annually	

Service Specification	
<b>Service Title:</b>	<b>Personal Emergency Response Systems Purchase, Rental, and Repair</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:
<b>Service Definition (Scope):</b>	
<b>Personal Emergency Response Systems (PERS) Purchase, Rental, and Repair</b> provides an electronic device of a type that allows the individual to summon assistance in an emergency. The device may be any one of a number of such devices but must be connected to a signal response center.	
Specify applicable (if any) limits on the amount, frequency, or duration of this service:	

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<b>Service Delivery Method</b> <i>(check each that applies):</i>				<input type="checkbox"/>	Participant-directed as specified in Appendix E		<input type="checkbox"/>	Provider managed
Specify whether the service may be provided by <i>(check each that applies):</i>		<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative	<input type="checkbox"/>	Legal Guardian	
<b>Provider Specifications</b>								
Provider Category(s) <i>(check one or both):</i>	<input type="checkbox"/>	Individual. List types:			X	Agency. List the types of agencies:		
					Personal Emergency Response Systems Purchase, Rental, and Repair Provider			
<b>Provider Qualifications</b>								
Provider Type:	License <i>(specify)</i>		Certificate <i>(specify)</i>		Other Standard <i>(specify)</i>			
Medicaid provider enrolled to provide Personal Emergency Response Systems Equipment	Current business license if applicable.				FCC registration of equipment placed in the individual's home			
<b>Verification of Provider Qualifications</b>								
Provider Type:	Entity Responsible for Verification:				Frequency of Verification			
Personal Emergency Response Systems Purchase, Rental, and Repair Provider	Division of Aging and Adult Services				Annually			

<b>Service Specification</b>	
<b>Service Title:</b>	<b>Personal Emergency Response Systems Installation, Testing, and Removal</b>

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Category 1:	Sub-Category 1:		
Category 2:	Sub-Category 2:		
Category 3:	Sub-Category 3:		
Category 4:	Sub-Category 4:		
<b>Service Definition (Scope):</b>			
<b>Personal Emergency Response Systems (PERS) Installation, Testing, and Removal</b> provides installation, testing, and removal of the PERS electronic device by trained personnel.			
Specify applicable (if any) limits on the amount, frequency, or duration of this service:			
<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/> Participant-directed as specified in Appendix E <input type="checkbox"/> Provider managed		
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/> Legally Responsible Person <input type="checkbox"/> Relative <input type="checkbox"/> Legal Guardian		
<b>Provider Specifications</b>			
Provider Category(s) (check one or both):	<input type="checkbox"/> Individual. List types: <input checked="" type="checkbox"/> Agency. List the types of agencies:		
	Personal Emergency Response Systems Installation, Testing, and Removal Provider		
<b>Provider Qualifications</b>			
Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
Medicaid provider enrolled to provide Personal Emergency Response Systems Installation, Testing, and Removal	<u>Current bBusiness license if applicable</u>		Ability to properly install and test specific equipment being handled.

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Verification of Provider Qualifications		
Provider Type:	Entity Responsible for Verification:	Frequency of Verification
Personal Emergency Response Systems Installation, Testing, and Removal Provider	Division of Aging and Adult Services	Annually

Service Specification	
Service Title:	<b>Specialized Medical Equipment/Supplies/Assistive Technology</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:
Service Definition (Scope):	
<p><b>Specialized Medical Equipment/Supplies/Assistive Technology</b> includes devices, controls, or other appliances which are of direct medical or remedial benefit to the individual and items necessary for life support, ancillary supplies, and equipment necessary to the proper functioning of such items, and durable and non-durable medical equipment not available under the Medicaid State Plan. Automated, mechanical medication dispensing, and reminder equipment are included when more simple methods of medication reminders are determined to be ineffective by the <u>designated</u> operating agency nurse. The need for such devices is specified in the individual's care plan. Reimbursement shall include the purchase, installation, removal, replacement, <del>and</del> repair <u>and modification</u> of approved equipment, supplies, and adaptations. <u>This service may also be used for the reimbursement of GPS (Global Positioning Systems) devices for an individual who has a documented health and safety risk. The supply and use of these items will only be provided with the approval of the person-centered planning team and with the informed consent of the individual or their legal representative (if applicable).</u> <u>If there is a documented and assessed need for this GPS surveillance, the requirements for modifications apply:</u></p>	

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- (1) Identify a specific and individualized assessed need.
- (2) Document the positive interventions and supports used prior to any modifications to the person-centered service plan.
- (3) Document less intrusive methods of meeting the need that have been tried but did not work.
- (4) Include a clear description of the condition that is directly proportionate to the specific assessed need.
- (5) Include regulation collection and review of data to measure the ongoing effectiveness of the modification.
- (6) Include established time limits for periodic reviews to determine if the modification is still necessary or can be terminated.
- (7) Include the informed consent of the individual or legal representative if the individual does not have the ability to give an informed consent.
- (8) Include an assurance that interventions and supports will cause no harm to the individual.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

**Limitations:**

General Limitations: Each item of specialized medical equipment, medical supplies, or assistive technology over \$1,000.00, must be prior approved by the Division of Aging and Adult Services based on a determination of medical necessity and confirmation from the Medicaid Agency that the item is not available as a Medicaid State Plan benefit.

Service Limit: The maximum allowable cost per item is \$2,500.00. At the point a waiver participant reaches the service limit, the Division of Aging and Adult Services will conduct an evaluation to determine how the individual's health and welfare can continue to be assured through authorization for additional service beyond the limit or alternative arrangements that meet the individual's needs while remaining in a community setting.

<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/>	Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative
	<input type="checkbox"/>	Legal Guardian		
<b>Provider Specifications</b>				
Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	X	Agency. List the types of agencies:
				Supplier of Specialized Medical Equipment, Supplies, and/or Assistive Technology

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<b>Provider Qualifications</b>			
Provider Type:	License ( <i>specify</i> )	Certificate ( <i>specify</i> )	Other Standard ( <i>specify</i> )
Medicaid provider enrolled to provide Specialized Medical Equipment, Supplies, and/or Assistive Technology	Current business license if applicable.		
<b>Verification of Provider Qualifications</b>			
Provider Type:	Entity Responsible for Verification:		Frequency of Verification
Supplier of Specialized Medical Equipment, Supplies, and/or Assistive Technology	Division of Aging and Adult Services		Annually

Service Specification	
Service Title:	<b>Supplemental Meals</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:

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<b>Service Definition (Scope):</b>							
<p><b>Supplemental Meals</b> provide a nutritionally sound and satisfying meal to individuals who are unable to prepare their own meals and who do not have a responsible party or volunteer caregiver available to prepare their meals for them.</p> <p>Elements of Supplemental Meal Category: The Supplemental Meal category includes a home delivered prepared meal, nutritional supplement and/or a community meal. Each option constitutes a supplemental meal when provided in an amount that meets the nutritional needs of the individual. A community meal may be considered when:</p> <ul style="list-style-type: none"> <li>• Participant is socially isolated with few opportunities to access the community; and/or</li> <li>• Participant continues to experience unintended weight loss despite other meal options provided.</li> </ul>							
Specify applicable (if any) limits on the amount, frequency, or duration of this service:							
<b>Limitations:</b> Meals provided as part of this service shall not constitute a "full nutritional regimen" (3 meals per day). The community meal option will be limited to \$25.00 per month per participant.							
<b>Service Delivery Method</b> (check each that applies):		<input type="checkbox"/>	Participant-directed as specified in Appendix E			<input type="checkbox"/>	Provider managed
Specify whether the service may be provided by (check each that applies):		<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative	<input type="checkbox"/>	Legal Guardian
<b>Provider Specifications</b>							
Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:			X	Agency. List the types of agencies:	
						Supplemental meal provider	
<b>Provider Qualifications</b>							
Provider Type:	License (specify)		Certificate (specify)		Other Standard (specify)		
Medicaid provider enrolled to provide Supplemental Meal Service	Current business license if applicable.				<p><u>UAC R70-530 Providers that provide supplemental meals that are hot, cold, or frozen and not pre-packaged will need to comply with UAC R70-530. Any provider who provides only "pre-packaged" supplemental meals such as Ensure, Glucerna, etc. will not need to comply with UAC R70-530.</u></p>		
<b>Verification of Provider Qualifications</b>							
Provider Type:		Entity Responsible for Verification:				Frequency of Verification	
Supplemental Meal Provider		Division of Aging and Adult Services				Annually	

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Service Specification			
Service Title:	Transportation Services ( Non-Medical)		
Category 1:	Sub-Category 1:		
Category 2:	Sub-Category 2:		
Category 3:	Sub-Category 3:		
Category 4:	Sub-Category 4:		
Service Definition (Scope):			
<p><b>Non-medical Transportation Services</b> enable individuals served on the waiver to gain access to waiver and other community services, activities, and resources, specified by the care plan. This service is offered in addition to required medical transportation services and shall not replace them. Transportation services under the waiver shall be offered in accordance with the individual's care plan. Whenever possible, family, neighbors, friends, or community agencies that can provide this service without charge will be utilized.</p> <p>The necessary individual transportation service must be stipulated in the care plan with accompanying documentation provided in the case file establishing the need for the transportation to fulfill outcomes associated with another specific service listed in the care plan.</p> <p>Specify applicable (if any) limits on the amount, frequency, or duration of this service:</p> <p><b>Limitations:</b> Medicaid payment for transportation under the approved waiver plan is not available for medical transportation, transportation available thru the State plan, transportation that is otherwise available at no charge, or as part of administrative expenditures. Transportation services will be offered to individuals using the most cost effective and efficient method reasonably available within the individual's community.</p> <p><u>Non-medical Transportation Services cannot be billed at the same time Personal Attendant Services are billed.</u></p>			
Service Delivery Method (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/> Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/> Legally Responsible Person	<input type="checkbox"/> Relative	<input type="checkbox"/> Legal Guardian

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Provider Specifications			
Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	X      Agency. List the types of agencies:
			Transportation Service (Non-medical) Provider
Provider Qualifications			
Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
Medicaid provider enrolled to provide Non-medical Transportation Services <b>or</b> Medicaid provider enrolled to provide Attendant Care Services and/or Companion Services	Licensed public transportation carrier <b>or</b> Individual driver's license <b>or</b> Current business license if applicable		Registered and insured vehicle: UCA 53-3-202, UCA 41-12a-301
Verification of Provider Qualifications			
Provider Type:	Entity Responsible for Verification:		Frequency of Verification
Transportation Service (Non-medical) Provider	Division of Aging and Adult Services		Annually

Service Specification	
Service Title:	<b>Personal Budget Assistance</b>

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Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:
<b>Service Definition (Scope):</b>	
<p><b>Personal Budget Assistance</b> provides assistance with financial matters, fiscal training, supervision of financial resources, savings, retirement, earnings and funds monitoring, monthly check writing, bank reconciliation, budget management, tax and fiscal record keeping and filing and fiscal interaction on behalf of the individual.</p> <p>The purpose of this service is to offer opportunities for waiver participants to increase their ability to provide for their own basic needs, increase their ability to cope with day to day living, maintain more stability in their lives and maintain the greatest degree of independence possible, by providing timely financial management assistance to waiver participants in the least restrictive setting, for those individuals who have no close family or friends willing to take on the task of assisting them with their finances.</p>	
Specify applicable (if any) limits on the amount, frequency, or duration of this service:	
<p><b>Limitations:</b> The Personal Budget Assistance provider must assist the waiver participant in reviewing their finances/budget at least monthly, must maintain documentation of this review and must submit the budget review documentation to the to the Case Management Agency for review on a monthly basis.</p>	
<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/> Participant-directed as specified in Appendix E <input type="checkbox"/> Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/> Legally Responsible Person <input type="checkbox"/> Relative <input type="checkbox"/> Legal Guardian
<b>Provider Specifications</b>	
Provider Category(s) (check one or both):	<input type="checkbox"/> Individual. List types:
	<input checked="" type="checkbox"/> Agency. List the types of agencies:
	Personal Budget Assistance Providers
<b>Provider Qualifications</b>	
Provider Type:	License (specify)         Certificate (specify)         Other Standard (specify)
Medicaid provider enrolled to	Current <b>b</b> Business License <b>if applicable</b>
	Demonstrated ability to perform task.

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provide personal budget assistance.			
<b>Verification of Provider Qualifications</b>			
Provider Type:	Entity Responsible for Verification:		Frequency of Verification
Personal Budget Assistance	Division of Aging and Adult Services		Upon initial enrollment and routinely scheduled monitoring of waiver providers thereafter.

Service Specification	
Service Title:	<b>Financial Management Services</b>
Category 1:	Sub-Category 1:
Category 2:	Sub-Category 2:
Category 3:	Sub-Category 3:
Category 4:	Sub-Category 4:
Service Definition (Scope):	
<p><b>Financial Management Services</b> are offered in support of the self-directed services delivery option. Services rendered under this definition include those to facilitate the employment of personal attendants or assistants by the individual or designated representative including:</p> <ul style="list-style-type: none"> <li>a) Provider qualification verification;</li> <li>b) Employer-related activities including federal, state and local tax withholding/payments, unemployment compensation fees, wage settlements, fiscal accounting and expenditure reports;</li> <li>c) Medicaid claims processing and reimbursement distribution; and</li> <li>d) Providing monthly accounting and expense reports to the consumer.</li> </ul>	
Specify applicable (if any) limits on the amount, frequency, or duration of this service:	

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Service is provided to those utilizing Self--Administered Services. The monthly payment to the FMS provider can only be made when active financial management services were provided during the month. Payment is not available during inactive periods (such as when there is an interruption in waiver services resulting from an admission to a nursing facility).

<b>Service Delivery Method</b> (check each that applies):	<input type="checkbox"/>	Participant-directed as specified in Appendix E	<input type="checkbox"/>	Provider managed
Specify whether the service may be provided by (check each that applies):	<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative
	<input type="checkbox"/>		<input type="checkbox"/>	Legal Guardian

**Provider Specifications**

Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:	<input checked="" type="checkbox"/>	Agency. List the types of agencies:
				A provider licensed as a public accounting agency

**Provider Qualifications**

Provider Type:	License (specify)	Certificate (specify)	Other Standard (specify)
<b>Financial Management Services</b>	Certified Public Accountant See 58-26A, UCA and R156-26A, UAC		<ul style="list-style-type: none"> <li>Under State contract with the Bureau of Authorization and Community Based Services (BACBS) as an authorized provider of services and supports.</li> <li>Comply with all applicable State and Local licensing, accrediting, and certification requirements.</li> <li>Understand the laws, rules and conditions that accompany the use of State and local resources and Medicaid resources.</li> <li>Utilize accounting systems that operate effectively on a large scale as well as track individual budgets.</li> <li>Utilize a claims processing system acceptable to the Utah State Medicaid Agency.</li> <li>Establish time lines for payments that meet individual needs within DOL standards.</li> <li>Generate service management, and statistical information and reports as required by the Medicaid program.</li> </ul>

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			<ul style="list-style-type: none"> <li>• Develop systems that are flexible in meeting the changing circumstances of the Medicaid program.</li> <li>• Provide needed training and technical assistance to participants, their representatives, and others.</li> <li>• Document required Medicaid provider qualifications and enrollment requirements and maintain results in provider/employee file.</li> <li>• Act on behalf of the person receiving supports and services for the purpose of payroll reporting.</li> <li>• Develop and implement an effective payroll system that addresses all related tax obligations.</li> <li>• Make related payments as approved in the person's budget, authorized by the case management agency.</li> <li>• Generate payroll checks in a timely and accurate manner and in compliance with all federal and state regulations pertaining to "domestic service" workers.</li> <li>• Conduct background checks as required and maintain results in employee file.</li> <li>• Process all employment records.</li> <li>• Obtain authorization to represent the individual/person receiving supports.</li> <li>• Prepare and distribute an application package of information that is clear and easy for the individuals hiring their own staff to understand and follow.</li> <li>• Establish and maintain a record for each employee and process employee employment application package and documentation.</li> </ul>
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			<ul style="list-style-type: none"> <li>• Utilize and accounting information system to invoice and receive Medicaid reimbursement funds.</li> <li>• Utilize and accounting and information system to track and report the distribution of Medicaid reimbursement funds.</li> <li>• Generate a detailed Medicaid reimbursement funds distribution report to the individual Medicaid recipient or representative semi-annually.</li> <li>• Withhold, file and deposit FICA, FUTA and SUTA taxes in accordance with federal IRS and DOL, and state rules.</li> <li>• Generate and distribute IRS W-2's. Wage and Tax Statements and related documentation annually to all support workers who meet the statutory threshold earnings amounts during the tax year by January 31<sup>st</sup>.</li> <li>• File and deposit federal and state income taxes in accordance with federal IRS and state rules and regulations.</li> <li>• Assure that employees are paid established unit rates in accordance with the federal and state Department of Labor Fair Labor Standards Act (FLSA)</li> <li>• Process all judgments, garnishments, tax levies or any related holds on an employee's funds as may be required by local, state or federal laws.</li> <li>• Distribute, collect and process all employee time sheets as summarized on payroll summary sheets completed by the person or his/her representative.</li> </ul>
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			<ul style="list-style-type: none"> <li>• Prepare employee payroll checks, at least monthly, sending them directly to the employees.</li> <li>• Keep abreast of all laws and regulations relevant to the responsibilities it has undertaken with regard to the required federal and state filings and the activities related to being a Fiscal/Employer Agent.</li> <li>• Establish a customer service mechanism in order to respond to calls from individuals or their representative employers and workers regarding issues such as withholding and net payments, lost or late checks, reports and other documentation.</li> <li>• Customer service representatives are able to communicate effectively in English and Spanish by voice and TTY with people who have a variety of disabilities.</li> <li>• Have a Disaster Recovery Plan for restoring software and master files and hardware backup if management information systems are disabled so that payroll and invoice payment systems remain intact.</li> <li>• Regularly file and perform accounting auditing to ensure system accuracy and compliance with general accounting practice.</li> </ul>

**Verification of Provider Qualifications**

Provider Type:	Entity Responsible for Verification:	Frequency of Verification
<b>Financial Management Services</b>	Division of Aging and Adult Services	Upon initial enrollment and annual sampling of waiver providers thereafter

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Service Specification							
Service Title:		<b>Enhanced State Plan Supportive Maintenance Home Health Aide Services</b>					
Category 1:		Sub-Category 1:					
Category 2:		Sub-Category 2:					
Category 3:		Sub-Category 3:					
Category 4:		Sub-Category 4:					
Service Definition (Scope):							
<p><b>Enhanced State Plan Supportive Maintenance Home Health Aide Services</b> are provided in addition to home health aide services furnished under the approved State plan. These services are provided when home health aide services furnished under the approved State plan limits are exhausted. The scope and nature of these services do not differ from home health aide services furnished under the State plan and are defined in the same manner as provided in the approved State plan. The provider qualifications specified in the State plan apply. The additional amount of services that may be provided through the waiver is limited to the duration or frequency determined necessary through the comprehensive needs assessment process and delineated in the individual's care plan, but is not otherwise limited by definition in terms of duration or frequency.</p>							
Specify applicable (if any) limits on the amount, frequency, or duration of this service:							
<p><b>Limitations:</b> Supportive maintenance services will only be ordered after full utilization of available State Plan home health services by the individual.</p>							
Service Delivery Method (check each that applies):		<input type="checkbox"/>	Participant-directed as specified in Appendix E		<input type="checkbox"/>	Provider managed	
Specify whether the service may be provided by (check each that applies):		<input type="checkbox"/>	Legally Responsible Person	<input type="checkbox"/>	Relative	<input type="checkbox"/>	Legal Guardian
Provider Specifications							
Provider Category(s) (check one or both):	<input type="checkbox"/>	Individual. List types:		x	Agency. List the types of agencies:		
			Enhanced State Plan Supportive Maintenance Home Health Aide Service Provider				

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<b>Provider Qualifications</b>			
Provider Type:	License ( <i>specify</i> )	Certificate ( <i>specify</i> )	Other Standard ( <i>specify</i> )
Medicaid provider enrolled to provide Supportive Maintenance Home Health Aide Services	Home Health Agency: UAC R432-700		

  

<b>Verification of Provider Qualifications</b>		
Provider Type:	Entity Responsible for Verification:	Frequency of Verification
Enhanced State Plan Supportive Maintenance Home Health Aide Service Provider	Division of Aging and Adult Services	Annually

  

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**b. Provision of Case Management Services to Waiver Participants.** Indicate how case management is furnished to waiver participants (*select one*):

<input type="radio"/>	<b>Not applicable</b> – Case management is not furnished as a distinct activity to waiver participants.
<input checked="" type="radio"/>	<b>Applicable</b> – Case management is furnished as a distinct activity to waiver participants. Check each that applies:
<input checked="" type="checkbox"/>	As a waiver service defined in Appendix C-3 ( <i>do not complete C-1-c</i> )
<input type="checkbox"/>	As a Medicaid State plan service under §1915(i) of the Act (HCBS as a State Plan Option). <i>Complete item C-1-c.</i>
<input type="checkbox"/>	As a Medicaid State plan service under §1915(g)(1) of the Act (Targeted Case Management). <i>Complete item C-1-c.</i>
<input type="checkbox"/>	As an administrative activity. <i>Complete item C-1-c.</i>

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- c. Delivery of Case Management Services.** Specify the entity or entities that conduct case management functions on behalf of waiver participants:

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## Appendix C-2: General Service Specifications

- a. **Criminal History and/or Background Investigations.** Specify the State's policies concerning the conduct of criminal history and/or background investigations of individuals who provide waiver services (*select one*):

X	<p><b>Yes.</b> Criminal history and/or background investigations are required. Specify: (a) the types of positions (e.g., personal assistants, attendants) for which such investigations must be conducted; (b) the scope of such investigations (e.g., state, national); and, (c) the process for ensuring that mandatory investigations have been conducted. State laws, regulations and policies referenced in this description are available to CMS upon request through the Medicaid or the operating agency (if applicable):</p> <p>UCA 62A-2-120 through 122 and R501-14 of the Utah Human Services Administration requires that all persons having direct access to vulnerable adults, as a personal attendant, must undergo a criminal history/background investigation <u>and fingerprinting</u>. <del>If the person has lived in Utah continuously for 5 years or more, a regional check is conducted. For those not having lived in Utah for 5 continuous years a national check through the FBI is conducted.</del></p> <p>The Office of Licensing, an agency within the Utah Department of Human Services, has the responsibility of conducting background checks on all personal attendants who provide waiver Personal Attendant Services. The <del>scope of the</del> investigation includes <u>checking state, regional and national criminal background databases, searching the Department of Human Services, Division of Child and Family Services' Licensing Information System, searching the Department of Human Services, Division of Aging and Adult Services' vulnerable adult abuse, neglect, or exploitation database, searching the juvenile court records for substantiated findings of severe child abuse or neglect and searching the juvenile court arrest, adjudication and disposition records, a check of the State's adult abuse registries and a Criminal History check through the Criminal Investigations and Technical Services Division of the Department of Public Safety. If a person has lived within two to five years outside the State of Utah or in foreign countries the FBI National Criminal History Records and National Criminal History will be accessed to conduct a check in those states and countries where the person resided.</u></p> <p>No personal attendant will be paid for services rendered until the background investigation is completed and they have received an approved background screening application. Each AAA must <del>annually</del> submit a background screening <u>annually</u> on each personal attendant providing Personal Attendant Services in their catchment area. <u>The annual renewal should be submitted to the Utah Department of Human Services, Office of Licensing no later than one year from the date of their most recent background screening approval. A screening that has lapsed for 30 days beyond that time is void and a new initial application must be submitted.</u></p>
O	<b>No.</b> Criminal history and/or background investigations are not required.

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- b. Abuse Registry Screening.** Specify whether the State requires the screening of individuals who provide waiver services through a State-maintained abuse registry (*select one*):

<input checked="" type="radio"/>	<p><b>Yes.</b> The State maintains an abuse registry and requires the screening of individuals through this registry. Specify: (a) the entity (entities) responsible for maintaining the abuse registry; (b) the types of positions for which abuse registry screenings must be conducted; and, (c) the process for ensuring that mandatory screenings have been conducted. State laws, regulations and policies referenced in this description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable):</p>
	<p>UCA 62A-2-120 through 122 and R501-14 of the Utah Human Services Administration requires that all persons having direct access to vulnerable adults, as a personal attendant, must undergo an abuse register screening as part of the criminal background investigation.</p> <p>A designated staff person within DHS, Office of Licensing, completes all screenings. The screening(s), for those receiving Personal Attendant Services, are maintained in the participant file at the AAA in which they are enrolled.</p> <p>DAAS ensures that mandatory screenings have been conducted during its annual <u>audit</u> <del>monitoring</del> for those individuals who have Personal Attendants.</p>
<input type="radio"/>	<p><b>No.</b> The State does not conduct abuse registry screening.</p>

- c. Services in Facilities Subject to §1616(e) of the Social Security Act.** *Select one:*

<input checked="" type="radio"/>	<p><b>No.</b> Home and community-based services under this waiver are not provided in facilities subject to §1616(e) of the Act. <i>Do not complete Items C-2-c.i – c.iii.</i></p>
<input type="radio"/>	<p><b>Yes.</b> Home and community-based services are provided in facilities subject to §1616(e) of the Act. The standards that apply to each type of facility where waiver services are provided are available to CMS upon request through the Medicaid agency or the operating agency (if applicable). <i>Complete Items C-2-c.i – c.iii.</i></p>

- i. Types of Facilities Subject to §1616(e).** Complete the following table for *each type* of facility subject to §1616(e) of the Act:

Type of Facility	Waiver Service(s) Provided in Facility	Facility Capacity Limit

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**ii. Larger Facilities:** In the case of residential facilities subject to §1616(e) that serve four or more individuals unrelated to the proprietor, describe how a home and community character is maintained in these settings.

**iii. Scope of Facility Standards.** For this facility type, please specify whether the State's standards address the following (*check each that applies*):

Standard	Topic Addressed
Admission policies	<input type="checkbox"/>
Physical environment	<input type="checkbox"/>
Sanitation	<input type="checkbox"/>
Safety	<input type="checkbox"/>
Staff : resident ratios	<input type="checkbox"/>
Staff training and qualifications	<input type="checkbox"/>
Staff supervision	<input type="checkbox"/>
Resident rights	<input type="checkbox"/>
Medication administration	<input type="checkbox"/>
Use of restrictive interventions	<input type="checkbox"/>
Incident reporting	<input type="checkbox"/>
Provision of or arrangement for necessary health services	<input type="checkbox"/>

When facility standards do not address one or more of the topics listed, explain why the standard is not included or is not relevant to the facility type or population. Explain how the health and welfare of participants is assured in the standard area(s) not addressed:

- d. Provision of Personal Care or Similar Services by Legally Responsible Individuals.** A legally responsible individual is any person who has a duty under State law to care for another person and typically includes: (a) the parent (biological or adoptive) of a minor child or the guardian of a minor child who must provide care to the child or (b) a spouse of a waiver participant. Except at the option of the State and under extraordinary circumstances specified by the State, payment may not be made to a legally responsible individual for the provision of personal care or similar services that the legally responsible individual would ordinarily perform or be responsible to perform on behalf of a waiver participant. *Select one:*

<input checked="" type="radio"/>	<b>No.</b> The State does not make payment to legally responsible individuals for furnishing personal care or similar services.
<input type="radio"/>	<b>Yes.</b> The State makes payment to legally responsible individuals for furnishing personal care or similar services when they are qualified to provide the services. Specify: (a) the legally responsible individuals who may be paid to furnish such services and the services they may provide; (b) State policies that specify the circumstances when payment may be authorized for the provision of <i>extraordinary care</i> by a legally responsible individual and how the State ensures that the provision of services by a legally responsible individual is in the best interest of the participant; and, (c) the controls that are employed to ensure that payments are made only for services rendered. <i>Also, specify in Appendix C-3 the personal care or similar services for which payment may be made to legally responsible individuals under the State policies specified here.</i>

- e. Other State Policies Concerning Payment for Waiver Services Furnished by Relatives/Legal Guardians.** Specify State policies concerning making payment to relatives/legal guardians for the provision of waiver services over and above the policies addressed in Item C-2-d. *Select one:*

<input type="radio"/>	<b>The State does not make payment to relatives/legal guardians for furnishing waiver services.</b>
<input type="radio"/>	<b>The State makes payment to relatives/legal guardians under <i>specific circumstances</i> and only when the relative/guardian is qualified to furnish services.</b> Specify the specific circumstances under which payment is made, the types of relatives/legal guardians to whom payment may be made, and the services for which payment may be made. Specify the controls that are employed to ensure that payments are made only for services rendered. <i>Also, specify in Appendix C-1/C-3 each waiver service for which payment may be made to relatives/legal guardians.</i>
<input checked="" type="radio"/>	<p><b>Relatives/legal guardians may be paid for providing waiver services whenever the relative/legal guardian is qualified to provide services as specified in Appendix C-1/C-3.</b> Specify the controls that are employed to ensure that payments are made only for services rendered.</p> <p>As per Administrative Rule R539-5-5 Legal guardians and spouses are not permitted to provide waiver services. Relatives, other than those listed above, may provide specified waiver services. The same payment controls are employed as described in Appendix I-1:1.</p> <p>Additionally, to ensure that employed relatives receive payments only for services rendered, the AAAs conduct monthly reviews of all services provided and claims paid. Case Managers -monitor the quality and delivery of services as defined in the care</p>

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	plan. As the AAAs conduct monthly reviews, if there is any indication of fraud or abuse of funds, DAAS is immediately notified so more in-depth audits can be completed.
<input type="radio"/>	Other policy. <i>Specify:</i>

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- f. **Open Enrollment of Providers.** Specify the processes that are employed to assure that all willing and qualified providers have the opportunity to enroll as waiver service providers as provided in 42 CFR §431.51:

All potential providers can access the State Implementation Plan of the Aging ~~W~~waiver on the internet to see what qualifications they must have to provide a service. They can file for a Medicaid number at any time by applying-electronically online with Utah Medicaid through the PRISM system. DAAS and the Utah Department of Health reviews the requested services and licenses and/or certifications. When the provider is approved for the Aging Waiver, the AAAs are notified by DAAS that a new provider is approved and ready to provide services. The AAAs will add the provider to the Freedom of Choice of Providers Choice Form and the participant then chooses their providers from the Freedom of Choice of Providers Choice Form that is maintained by the AAA, filling out the Medicaid Enrollment packet and submitting it to any or all 11 AAAs in which they want to provide services. The AAA(s) then submit(s) the packet to DAAS who then submits it to Medicaid Enrollment who then issues the provider number.

The Utah Department of Health will enter into a provider agreement with all willing providers who are selected by ~~participants/recipients~~ and meet licensure, certification, competency requirements and all other provider qualifications. These providers must agree to accept the Medicaid rate as payment in full.

## Quality Improvement: Qualified Providers

*As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.*

a. **Methods for Discovery: Qualified Providers**

*The state demonstrates that it has designed and implemented an adequate system for assuring that all waiver services are provided by qualified providers.*

i. **Sub-Assurances:**

*a. Sub-Assurance: The State verifies that providers initially and continually meet required licensure and/or certification standards and adhere to other standards prior to their furnishing waiver services.*

*i. Performance Measures*

*For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.*

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For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	<b>Number and percentage of licensed health care providers <u>who meet required licensing standards both at initial enrollment and ongoing, that maintain substantial compliance with State and Federal Regulations.</u> (Numerator = # of providers in compliance; Denominator = total # of providers reviewed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):			
If 'Other' is selected, specify:			
<b>Bureau of Licensing Records</b>			
<b>Office of Licensing Records</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	X 100% Review
	<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample; Confidence Interval =
	X Other Specify:	<input type="checkbox"/> Annually	
	DOH Bureau of Licensing DHS Office of Licensing	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other Specify:	
		At a minimum of every 2 years	<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly

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<i>X Other Specify:</i>	<input type="checkbox"/> <i>Annually</i>
<i>DOH Bureau of Licensing DHS Office of Licensing</i>	<input type="checkbox"/> <i>Continuously and Ongoing</i>
	<input type="checkbox"/> <i>Other Specify:</i>

<b>Performance Measure:#2</b>	<b>Number and percentage of provider files that contain the Medicaid Application with Attachment A, a signed negotiated rate sheet, current business licenses and/or professional licenses. (Numerator = # of providers in compliance; Denominator = total # of providers reviewed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):			
If 'Other' is selected, specify:			
<b>AAA provider files</b> <b>DAAS provider files</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<i>X 100% Review by OA</i>
	<i>X Operating Agency</i>	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<i>X Other Specify: At a minimum every two years.</i>	
			<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly

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<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Annually
Specify:	
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other
	Specify:

**b Sub-Assurance: The State monitors non-licensed/non-certified providers to assure adherence to waiver requirements.**

**i. Performance Measures**

**For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.**

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	<b>Number and percentage of personal attendants <u>who received an approved background screening prior to providing services and whom an annual background screening was completed annually thereafter, for whom an annual criminal history/background investigation was conducted.</u> (Numerator == total # of PAs who received an approved background screening prior to providing services and whom an annual background screening was completed )</b> <b><u>Denominator = total # of PAs employed who received an annual review; Denominator. = total # of PAs requiring an annual review)</u></b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: Approved Background Screening application and Participant records			
<b>Approved background screening application</b>			
<b>Participant Records</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review

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	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	X Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other Specify:	
		OA: Continuously and Ongoing SMA: At minimum every 5 years	<input type="checkbox"/> Other Specify:

## Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify:
	X Other: Specify: OA: Annually SMA: At a minimum every 5 years.

**Performance Measure:#2**

**Number and percentage of personal attendants who received an approved background screening application prior to providing services. (Numerator = # of new PAs with Background Screenings completed prior to providing services; Denominator = total # of PAs reviewed)**

**Data Source** (Select one) (Several options are listed in the on-line application): Other

If 'Other' is selected, specify: Approved Background Screening, Participant records and Claims data

**Approved background screening  
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Claims Data**

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	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	X Operating Agency	<input type="checkbox"/> Monthly	X Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	X Representative Sample; Confidence Interval = +/-5%
	X Other Specify:	<input type="checkbox"/> Annually	
	DHS Office of Licensing	X Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
			<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	X Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify:

**c Sub-Assurance: The State implements its policies and procedures for verifying that provider training is conducted in accordance with state requirements and the approved waiver.**

**i. Performance Measures**

**For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.**

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For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	Number and percentage of new <b>Registered Nurses</b> <del>Case Managers</del> who received <b>MDS-HC/LOC training</b> <del>Case Management training</del> prior to <b>accessing participants for the Aging Waiver program</b> <del>providing case management services</del> . (Numerator = # of CMs in compliance; Denominator = total # of CMs reviewed)		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: Provider training agenda			
<b>Provider training agenda</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	X 100% Review
	X Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		X Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
			<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	X Annually

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	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other
	Specify:

- ii *If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.*

The SMA conducts an annual review of the Aging ~~W~~waiver program for each of the five waiver years. At a minimum, one comprehensive review will be conducted during this five year cycle. The comprehensive review will include reviewing a random sample of care plans, Level of Care, MDS-HC assessments and other required documentation from each AAA to be sure all items are compliant with all current policy, rules and regulations~~participant and provider interviews~~. The other annual reviews will be focused reviews. The criteria for the focused reviews will be determined from DAAS and SMA review findings as well as other issues that develop during the review year. The sample size for each review will be sufficient to provide a confidence level equal to ~~95~~80% and a confidence interval equal to 5.

**b. Methods for Remediation/Fixing Individual Problems**

- i *Describe the State's method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.*

Individual issues identified by the SMA and DAAS that affect the health and welfare of individual participants are addressed immediately. Issues requiring immediate attention are addressed in a variety of ways. Depending on the circumstances of the individual case the interventions could include: contacting the OA, case management and/or direct care provider agencies requiring an immediate review and remediation of the issue, reporting the issue to APS and/or local law enforcement or the state's Medicaid Fraud Control ~~Unit, the~~Unit, the licensing authority or the survey/certification authority. To assure the issue has been addressed, entities assigned the responsibility of review and ~~remediations~~remediation are required to report back to the OA or SMA on the results of their interventions within designated time frames. A description of issues requiring immediate attention and outcomes are documented through the SMA final report. Issues that are less immediate are corrected within designated time frames and are documented through the SMA final review report. When the SMA determines that an issue is resolved, notification is provided and documentation is maintained by the SMA.

ii **Remediation Data Aggregation**

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<b>Remediation-related Data Aggregation and Analysis (including trend identification)</b>	<b>Responsible Party (check each that applies)</b>	<b>Frequency of data aggregation and analysis: (check each that applies)</b>
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
	<input type="checkbox"/> Other: Specify:	<input type="checkbox"/> Annually
		<input type="checkbox"/> Continuously and Ongoing
		<input checked="" type="checkbox"/> Other: Specify:
		OA: Annually SMA: At a minimum every 5 years

**c. Timelines**

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Qualified Providers that are currently non-operational.

<input checked="" type="radio"/>	<b>No</b>
<input type="radio"/>	<b>Yes</b> Please provide a detailed strategy for assuring Qualified Providers, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

--

**Additional Limits on Amount of Waiver Services.** Indicate whether the waiver employs any of the following additional limits on the amount of waiver services (*check each that applies*).

<input checked="" type="radio"/>	<b>Not applicable – The State does not impose a limit on the amount of waiver services except as provided in Appendix C-3.</b>
<input type="radio"/>	<b>Applicable – The State imposes additional limits on the amount of waiver services.</b>

When a limit is employed, specify: (a) the waiver services to which the limit applies; (b) the basis of the limit, including its basis in historical expenditure/utilization patterns and, as applicable, the processes and methodologies that are used to determine the amount of the limit to which a participant's services are subject; (c) how the limit will be adjusted over the course of the waiver period; (d) provisions for adjusting or making exceptions to the limit based on participant health and welfare needs or other factors specified by the state; (e) the safeguards that are in effect when the amount of the limit is insufficient to meet a participant's needs; and, (f) how participants are notified of the amount of the limit.

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<input type="checkbox"/>	<b>Limit(s) on Set(s) of Services.</b> There is a limit on the maximum dollar amount of waiver services that is authorized for one or more sets of services offered under the waiver. <i>Furnish the information specified above.</i>
<input type="checkbox"/>	<b>Prospective Individual Budget Amount.</b> There is a limit on the maximum dollar amount of waiver services authorized for each specific participant. <i>Furnish the information specified above.</i>
<input type="checkbox"/>	<b>Budget Limits by Level of Support.</b> Based on an assessment process and/or other factors, participants are assigned to funding levels that are limits on the maximum dollar amount of waiver services. <i>Furnish the information specified above.</i>
<input type="checkbox"/>	<b>Other Type of Limit.</b> The State employs another type of limit. <i>Describe the limit and furnish the information specified above.</i>

## Appendix C-5: Home and Community-Based Settings

Explain how residential and non-residential settings in this waiver comply with federal HCB Settings requirements at 42 CFR 441.301(c)(4)-(5) and associated CMS guidance. Include:

1. Description of the settings and how they meet federal HCB Settings requirements, at the time of submission and in the future.
2. Description of the means by which the SMA ascertains that all waiver settings meet federal HCB Setting requirements, at the time of this submission and ongoing.

Note instructions at Module 1, Attachment #2, HCBS Settings Waiver Transition Plan for description of settings that do not meet requirements at the time of submission. Do not duplicate that information here.

Refer to Attachment #2

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[Redacted Content]

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# Appendix D: Participant-Centered Planning and Service Delivery

## Appendix D-1: Service Plan Development

**State Participant-Centered Service Plan Title:** Care Plan

- a. **Responsibility for Service Plan Development.** Per 42 CFR §441.301(b)(2), specify who is responsible for the development of the service plan and the qualifications of these individuals (*check each that applies*):

<input checked="" type="checkbox"/>	<b>Registered nurse, licensed to practice in the State</b>
<input type="checkbox"/>	<b>Licensed practical or vocational nurse, acting within the scope of practice under State law</b>
<input type="checkbox"/>	<b>Licensed physician (M.D. or D.O)</b>
<input checked="" type="checkbox"/>	<b>Case Manager</b> (qualifications specified in Appendix C-1/C-3)
<input type="checkbox"/>	<b>Case Manager</b> (qualifications not specified in Appendix C-1/C-3). <i>Specify qualifications:</i>
<input type="checkbox"/>	<b>Social Worker</b> <i>Specify qualifications:</i>
<input type="checkbox"/>	<b>Other</b> <i>Specify the individuals and their qualifications:</i>

- b. **Service Plan Development Safeguards.**

*Select one:*

<input checked="" type="radio"/>	<b>Entities and/or individuals that have responsibility for service plan development may not provide other direct waiver services to the participant.</b>
<input type="radio"/>	<b>Entities and/or individuals that have responsibility for service plan development may provide other direct waiver services to the participant.</b> The State has established the following safeguards to ensure that <u>careservice</u> plan development is conducted in the best interests of the participant. <i>Specify:</i>

- c. **Supporting the Participant in Service Plan Development.** Specify: (a) the supports and information that are made available to the participant (and/or family or legal representative, as appropriate) to direct and be actively engaged in the service plan development process and (b) the participant's authority to determine who is included in the process.

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a) The supports and information that are made available to the participant (and/or family or legal representative, as appropriate) to direct and be actively engaged in the service plan development process.

The Home and Community Based Waiver for Individuals Age 65 and Older ~~the Elderly~~ brochure is provided to the participant, and/or family member(s) or legal representative, when the participant is new to the Aging Waiver program. This brochure and lists the Aging Waiver ~~waiver~~ services that are available under the waiver to the participant.

b)- The participant's authority to determine who is included in the process.

The participant has total authority to determine who is included in the process. The nurse completing the assessment explains this authority to the participant and it is documented on the care plan by the participant's signature.

- d. **Service Plan Development Process** In four pages or less, describe the process that is used to develop the participant-centered service plan, including: (a) who develops the plan, who participates in the process, and the timing of the plan; (b) the types of assessments that are conducted to support the service plan development process, including securing information about participant needs, preferences and goals, and health status; (c) how the participant is informed of the services that are available under the waiver; (d) how the plan development process ensures that the service plan addresses participant goals, needs (including health care needs), and preferences; (e) how waiver and other services are coordinated; (f) how the plan development process provides for the assignment of responsibilities to implement and monitor the plan; and, (g) how and when the plan is updated, including when the participant's needs change. State laws, regulations, and policies cited that affect the service plan development process are available to CMS upon request through the Medicaid agency or the operating agency (if applicable):

a) Who develops the plan, who participates in the process, and the timing of the plan

There are 11 AAAs across the state that have designated operating agency functions. The care plan is developed by the AAA where the participant lives. Specifically, the R.N. or the R.N. and the Case Manager from the AAA develops the plan with input from the participant, and where applicable, the participant's family and friends. Within 30 calendar days after the full assessment (whether a new assessment or reassessment) a care plan must be developed. For care plans undergoing an annual review, the care plan must be developed within the same calendar month as the previous year's care plan.

b) The types of assessments that are conducted to support the service plan development process, including securing information about participant needs, preferences and goals and health status.

The InterRAI Minimum Data Set- Home Care (MDS-HC) and supplement are the tools used to assess the participant. Information about the participant is gathered from the participant, their family or friends and their physician when warranted.

c) How the participant is informed of the services that are available under the waiver;

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The participant is given a brochure, which explains the program and also lists all available services offered. When the Case Manager meets with the participant after the care plan is developed and agreed upon, the participant is ~~also~~ given a Freedom of Choice of Providers~~Provider Choice~~ form listing all available providers for all services in the catchment area.

d) How the plan development process ensures that the ~~careservice~~ plan addresses participant goals, needs (including health care needs), and preferences

Care Plan development is based on the health and other needs identified in the comprehensive assessment. Services are identified on the care plan and are reviewed at a minimum, quarterly. This is to assure that services continue to meet the participant's needs and that they are satisfied with their choice of providers and services.

e) How waiver and other services are coordinated

As part of the care plan development, it is the responsibility of the CM to link the participant with the services identified on the care plan. The CM identifies all resources available to meet these needs, both formal and informal. The CM must also document other resources they attempted to implement, and why these attempts failed and were unavailable before using Aging ~~W~~waiver funds to pay for the service.

f) How the plan development process provides for the assignment of responsibilities to implement and monitor the plan

The CMs will make a monthly contact, either by phone or in person, to monitor the delivery and quality of services provided as well as identify any significant changes in the participant's health and welfare or their circumstances. At a minimum, a quarterly face-to-face visit is required. The quarterly review includes a review of the care plan, health status, mobility, self-care, mental health status and social status of the waiver participants. Additionally, the condition of any medical equipment in the home is evaluated. For those receiving participant-employed Personal Attendant Services, the quarterly review also documents that the back-up plan remains in effect.

g) How and when the plan is updated, including when the participant's needs change.

The care plan is updated at a minimum of annually. The care plan must be developed within the same calendar month as the previous year's care plan. The MDS-HC is administered and a new care plan is developed based on this assessment. If a significant change in the participant's condition occurs at any time prior to the annual review, the CM must notify the R.N. to screen the level of care to determine if it adequately reflects the participant's condition or if a new MDS-HC needs to be conducted to determine ongoing nursing facility level of care and to determine that all identified needs are and can be met. The care plan is updated, when warranted, by changes in the waiver participant's needs.

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- e. **Risk Assessment and Mitigation.** Specify how potential risks to the participant are assessed during the service plan development process and how strategies to mitigate risk are incorporated into the service plan, subject to participant needs and preferences. In addition, describe how the service plan development process addresses backup plans and the arrangements that are used for backup.

The InterRAI Minimum Data Set- Home Care (MDS-HC) is the screening tool used by the R.N. to assess and document multiple key domains of function, health, social support and service use. It focuses on social functioning, environmental issues, physical functioning, health conditions, service utilization, medications, informal support services, cognitive patterns, communication/hearing patterns, vision patterns, mood and behavior patterns, continence issues, disease diagnoses, nutrition/hydration status, dental status and skin conditions. This information identifies the potential risks facing the participant.

Formal and/or informal services are then added and documented on the care plan.

If a participant chooses the self-directed model for service delivery, at least one but up to three people or a traditional service provider are identified to provide back-up services when the Personal Attendantregular service provider or a traditional service provider is unavailable. The backup plan will be reviewed quarterly. ~~A separate plan is developed for situations where the backup plan fails and is documented on the Emergency Back-Up Service Plan form. This separate plan typically lists a traditional provider of the participant's choosing.~~

- f. **Informed Choice of Providers.** Describe how participants are assisted in obtaining information about and selecting from among qualified providers of the waiver services in the service plan.

A list of all service providers in the catchment area is given to the participant on at least a yearly basis. Participants are informed that they can change providers at any time.

- g. **Process for Making Service Plan Subject to the Approval of the Medicaid Agency.** Describe the process by which the service plan is made subject to the approval of the Medicaid agency in accordance with 42 CFR §441.301(b)(1)(i):

The SMA retains final authority for oversight and approval of the careservice planning process. The oversight function involves, at a minimum, an annual review of a representative sample of waiver enrollee's careservice plans that will be sufficient to provide a confidence level equal to 8095% and a confidence interval equal to 5. The specific sample of each review is selected based on the identified focus of the review and the number of reviews determined to be necessary to evaluate the waiver's performance. If the sample evaluation identifies system-wide careservice planning problems, an expanded review is initiated by the SMA.

- h. **Service Plan Review and Update.** The service plan is subject to at least annual periodic review and update to assess the appropriateness and adequacy of the services as participant needs change. Specify the minimum schedule for the review and update of the service plan:

<input checked="" type="radio"/>	Every three months or more frequently when necessary
<input type="radio"/>	Every six months or more frequently when necessary
<input type="radio"/>	Every twelve months or more frequently when necessary
<input type="radio"/>	Other schedule

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	<i>Specify the other schedule:</i>

- i. Maintenance of Service Plan Forms.** Written copies or electronic facsimiles of service plans are maintained for a minimum period of 3 years as required by 45 CFR §92.42. Service plans are maintained by the following (*check each that applies*):

<input type="checkbox"/>	<b>Medicaid agency</b>
<input type="checkbox"/>	<b>Operating agency</b>
<input checked="" type="checkbox"/>	<b>Case Manager</b>
<input checked="" type="checkbox"/>	<b>Other</b>
	<i>Specify:</i>
	The AAA in which the participant resides

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## Appendix D-2: Service Plan Implementation and Monitoring

- a. **Service Plan Implementation and Monitoring.** Specify: (a) the entity (entities) responsible for monitoring the implementation of the service plan and participant health and welfare; (b) the monitoring and follow-up method(s) that are used; and, (c) the frequency with which monitoring is performed.

a) The entity (entities) responsible for monitoring the implementation of the [careservice plan](#) and participant health and welfare.

The Case Manager is responsible for monitoring the implementation of the care plan and the participant's health and welfare. During the care planning process it is the responsibility of the Case Manager and the RN at the AAA to monitor for non-compliant HCBS settings as well as to document any human rights restrictions which apply to the participant. This documentation must include information on the restriction, why it is being used, what lesser intrusive methods were tried previously (and why they were insufficient to maintain the health and safety of the individual) and a plan to phase-out the use of the intervention/restriction (if possible).

b) The monitoring and follow-up method(s) that are used.

During contacts with participants, Case Managers (CM) ask the participant about the delivery and quality of the services they are receiving. CMs also observe the services being delivered when possible and have contact with the providers. CMs work directly with providers if participants identify problems and ask for the CM to intervene. This is completed as soon as the problem is identified. The AAA will notify DAAS if there are more global concerns with a particular provider and DAAS then notifies the SMA. These types of issues with providers are also detailed in the AAA monitoring and audit reports that DAAS compiles and sends on to the SMA for its review.

Additionally, it is the responsibility of the CM to ensure participants have access to all waiver services identified on the care plan. If there are non-waiver services that the participant needs, the CM will help the participant to obtain access to those services as well. While it is the responsibility of the CM to verify the quality and delivery of services, the AAAs validate the financial component of the care plan. This is substantiated by having the AAAs compare their billings against the care plans of their participants.

c) The frequency with which monitoring is performed.

At a minimum, a monthly contact is made, via phone or in person, by the CM and a more comprehensive, face-to-face visit is completed on at least a quarterly basis. During the quarterly review~~monthly contact~~, the CM verifies back-up plans for Personal Attendant Services (PAS) are effective and that the participant's health and welfare is assured.

Moreover, DAAS checks the APS database at least twice a year, and if notified, follows the investigation by APS as it unfolds.

If the participant has left the state for more than 90 days and is therefore unable to meet the quarterly face-to face monitoring requirement, the participant may be disenrolled from the waiver.

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Furthermore, to confirm that participants exercise free choice of providers, they must choose their providers at a minimum of yearly. As previously stated, CMs may work to resolve issues between the participant and the provider, at the participant's discretion, and may also help the participant to obtain a different provider if they are unhappy with the services offered by their current provider.

**b. Monitoring Safeguards.** *Select one:*

<input checked="" type="radio"/>	<b>Entities and/or individuals that have responsibility to monitor service plan implementation and participant health and welfare may not provide other direct waiver services to the participant.</b>
<input type="radio"/>	<b>Entities and/or individuals that have responsibility to monitor service plan implementation and participant health and welfare may provide other direct waiver services to the participant.</b> The State has established the following safeguards to ensure that monitoring is conducted in the best interests of the participant. <i>Specify:</i>

## Quality Improvement: Service Plan

*As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.*

**a. Methods for Discovery: Service Plan Assurance/Sub-assurances**

*The state demonstrates it has designed and implemented an effective system for reviewing the adequacy of service plans for waiver participants.*

**i. Sub-assurances:**

*a. Sub-assurance: Service plans address all participants' assessed needs (including health and safety risk factors) and personal goals, either by the provision of waiver services or through other means.*

**i. Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed*

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statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	<b>Number and percentage of care plans which address all needs, personal goals and health and safety factors that are identified in the full assessment. (Numerator = # of care plans addressing all needs identified; Denominator = total # of care plans reviewed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: MDS-HC Assessment and Supplement Nutritional Risk Screening Form Care Plans			
<b>MDS-HC assessment and supplement Nutritional Risk Screening form Care plan</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5% for SMA
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
		Continuously and Ongoing. At a minimum every 5 years.	<input type="checkbox"/> Other Specify:

#### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other	<input type="checkbox"/> Annually

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Specify:	
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Annually SMA: At a minimum every 5 years.

<b>Performance Measure: #2</b>	<b>Number and percentage of care plans in which State plan services and other resources, for which the individual is eligible, are exhausted prior to authorizing the same service offered through the waiver. (Numerator = # of care plans in compliance; Denominator = total # of care plans reviewed)</b>
--------------------------------	--

**Data Source** (Select one) (Several options are listed in the on-line application): Other

If 'Other' is selected, specify: Care plans

Care plans			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/- 5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		<input checked="" type="checkbox"/> OA: Annually <input checked="" type="checkbox"/> SMA: At a minimum every 5 years	<input type="checkbox"/> Other Specify:

#### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly

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<del>Other</del> <del>Specify:</del>	<del>Annually</del>
	<del>Continuously and Ongoing</del>
	<del>Other</del> <del>Specify:</del>
	OA: Annually SMA: At a minimum every 5 years

***b.Sub-assurance: The State monitors service plan development in accordance with its policies and procedures.***

***i. Performance Measures***

***For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.***

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

<b>Performance Measure: #1</b>	<b>Number and percentage of care plans which are reviewed at a minimum quarterly to assure they continue to meet the participant's needs. (Numerator = # of care plans where all quarterly assessments were completed; Denominator = total # of care plans reviewed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: Care Plan, Medicaid waiver for Individuals Age 65 or Older Quarterly review and Participant Record			
<b>Care plan Medicaid waiver for Individuals Age 65 or Older Quarterly Review Participant Record</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	X State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	X Operating Agency	<input type="checkbox"/> Monthly	X Less than 100% Review

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	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	X Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other Specify:	
		OA: Continuously and Ongoing. SMA: At a minimum every 5 years	<input type="checkbox"/> Other Specify:

### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	X Other Specify:
	OA: Annually SMA: At a minimum every 5 years

<b><u>Performance Measure: #2</u></b>	<b><u>Number and percentage of participants using the self-directed model for service delivery in a representative sample for which the Personal Attendant Service Emergency Back-up Form was completed and current. (Numerator = # of participants receiving PA SAS services with a back-up plan developed; Denominator = total # of participants receiving PA SAS services)</u></b>		
<b><u>Data Source (Select one) (Several options are listed in the on-line application):</u></b> Record reviews, on-site			
<b><u>If 'Other' is selected, specify:</u></b> Emergency Back-up Form Participant Records			
<b><u>Emergency Back-up Form Participant Records</u></b>			
	<b><u>Responsible Party for data collection/generation</u></b>	<b><u>Frequency of data collection/generation:</u></b>	<b><u>Sampling Approach (check each that applies)</u></b>

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	<u>(check each that applies)</u>	<u>(check each that applies)</u>	
	<u>X State Medicaid Agency</u>	<u><input type="checkbox"/> Weekly</u>	<u><input type="checkbox"/> 100% Review</u>
	<u>X Operating Agency</u>	<u><input type="checkbox"/> Monthly</u>	<u>X Less than 100% Review</u>
	<u><input type="checkbox"/> Sub-State Entity</u>	<u><input type="checkbox"/> Quarterly</u>	<u>X Representative Sample: Confidence Interval = +/- 5%</u>
	<u><input type="checkbox"/> Other Specify:</u>	<u><input type="checkbox"/> Annually</u>	
		<u><input type="checkbox"/> Continuously and Ongoing</u>	<u><input type="checkbox"/> Stratified: Describe Group:</u>
		<u>X Other Specify:</u>	
		<u>OA: Continuously and ongoing</u> <u>SMA: At minimum of 5 years</u>	<u><input type="checkbox"/> Other Specify:</u>

#### **Data Aggregation and Analysis**

<b><u>Responsible Party for data aggregation and analysis</u></b> <u>(check each that applies)</u>	<b><u>Frequency of data aggregation and analysis:</u></b> <u>(check each that applies)</u>
<u>X State Medicaid Agency</u>	<u><input type="checkbox"/> Weekly</u>
<u>X Operating Agency</u>	<u><input type="checkbox"/> Monthly</u>
<u><input type="checkbox"/> Sub-State Entity</u>	<u><input type="checkbox"/> Quarterly</u>
<u><input type="checkbox"/> Other Specify:</u>	<u><input type="checkbox"/> Annually</u>
	<u><input type="checkbox"/> Continuously and Ongoing</u>
	<u>Other Specify:</u>
	<u>OA: Continuous and ongoing .SMA: At a minimum every 5 years</u>

***c. Sub-assurance: Service plans are updated/revised at least annually or when warranted by changes in the waiver participant's needs.***

#### ***i. Performance Measures***

***For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.***

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For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure:#1</b>	<b>Number and percentage of care plans that are updated, at a minimum of annually (within the same calendar month as the previous care plan). (Numerator = # of care plans updated within required timeframes; Denominator = total # of care plans reviewed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: Care Plan, Participant record and MDS-HC with supplements			
<b>Participant Record</b>			
<b>Care Plan</b>			
<b>MDS-HC with supplements</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	X State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	X Operating Agency	<input type="checkbox"/> Monthly	X Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	X Representative Sample; Confidence Interval = +/- 5% for SMA
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuous and ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other: Specify	
		OA: Annually SMA: At a minimum of every 5 years	<input type="checkbox"/> Other Specify:

#### **Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually

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	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify:

<b>Performance Measure: #2</b>	<b>Number and percentage of care plans that are updated when warranted by changes in the waiver participant's needs. (Numerator = # of care plans updated due to a change in a participant's needs; Denominator = # of care plans requiring update due to a change in the participant's needs)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: Participant records and Care Plan			
<b>Participant Records Care Plan</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	X State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	X Operating Agency	<input type="checkbox"/> Monthly	X Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	X Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other Specify:	
		OA: Continuous and ongoing SMA: At a minimum of every five years	<input type="checkbox"/> Other Specify:

### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly

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<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Annually SMA At a minimum every 5 years

**d. Sub-assurance:** Services are delivered in accordance with the service plan, including the type, scope, amount, duration and frequency specified in the service plan.

**i. Performance Measures**

**For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.**

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	<b>Number and percentage of participants whose record contains documentation they were contacted by their Case Managers, monthly, either by phone or in person to monitor the delivery and quality of services. (Numerator = # of participants where monthly contacts where completed; Denominator = total # of participants reviewed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: Care Plans and Claims data			
<b>Participant Records</b>			
<b>Care plan</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review

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	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	X Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other Specify:	
		OA: Continuous and Ongoing SMA: At a minimum every 5 years	<input type="checkbox"/> Other Specify:

### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	X Other Specify:
	OA: Annually SMA : At a minimum of every 5 years

<b>Performance Measure: #2</b>	<b>Number and percentage of care plans that identify the amount, frequency and duration for each waiver service. (Numerator = # of care plans where amount/frequency/duration for all waiver services was provided; Denominator = # of care plans reviewed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: Participant records and Care Plan			
<b>Care Plans Claims data</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)

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	<i>X State Medicaid Agency</i>	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<i>X Operating Agency</i>	<input type="checkbox"/> Monthly	<i>X Less than 100% Review</i>
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<i>X Representative Sample; Confidence Interval =</i>
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<i>X Other Specify:</i>	
		<i>OA: Continuously and Ongoing SMA: At a minimum of every 5 years.</i>	<input type="checkbox"/> Other Specify:

#### **Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<i>X State Medicaid Agency</i>	<input type="checkbox"/> Weekly
<i>X Operating Agency</i>	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<i>X Other Specify:</i>
	<i>OA: Annually SMA: At a minimum every 5 years%</i>

**e. Sub-assurance: Participants are afforded choice between/among waiver services and providers.**

#### **i. Performance Measures**

**For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.**

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed

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statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	<b>Number and percentage of participants who were offered the choice between institutional care and home and community based waiver services as documented on the “Documentation of LTC Program Choice and Right to Fair Hearing” form. (Numerator = # of participants where choice of service delivery was documented; Denominator = total # of participants reviewed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):			
If ‘Other’ is selected, specify:			
<b>“Documentation of LTC Program Choice and Right to Fair Hearing” form</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		OA: Continuously and Ongoing SMA: At a minimum every 5 years.	<input type="checkbox"/> Other Specify:

#### **Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing

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	<i>X Other</i> <i>Specify:</i>
	<i>OA: Annually</i> <i>SMA: At a minimum of</i> <i>every 5 years</i>

<b>Performance Measure: #2</b>	<b>Number and percentage of participants who were given a brochure upon enrollment describing all available services in the Aging waiver program. (Numerator = # of participants who were provided with a brochure listing all Aging waiver services; Denominator = # of participants enrolled in the waiver)</b>
--------------------------------	---

**Data Source** (Select one) (Several options are listed in the on-line application):

If 'Other' is selected, specify:

<b>Participant Record</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<i>X State Medicaid Agency</i>	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<i>X Operating Agency</i>	<input type="checkbox"/> Monthly	<i>X Less than 100% Review</i>
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<i>X Representative Sample; Confidence Interval = +/- 5%</i>
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<i>X Other</i> Specify:	
		<i>OA: Continuously and Ongoing.</i> <i>SMA: At a minimum every 5 years</i>	<input type="checkbox"/> Other Specify:

### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<i>X State Medicaid Agency</i>	<input type="checkbox"/> Weekly
<i>X Operating Agency</i>	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually

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	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA : Annually SMA: At a minimum every 5 years

<b>Performance Measure:#3</b>	<b>Number and percentage of participants who were given a list of all <u>services</u>/service providers in the catchment area, annually. (Numerator = # of individuals given a list of all service providers in the waiver year; Denominator = # of participants enrolled for the full waiver year)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application):			
If 'Other' is selected, specify:			
<b>Provider Choice Form</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		OA: Continuously and Ongoing. SMA: At a minimum every 5 years	<input type="checkbox"/> Other Specify:

### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
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<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other	<input type="checkbox"/> Annually
Specify:	
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other
	Specify:

- ii. *If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.*

The DAAS Program Manager RN or designated DAAS RN for the -Aging- Wwaiver reviews 100% of care plans prior to their becoming effective to assure that all assessed needs are addressed on the care plan, regardless of funding source, and that each care plan meets all requirements including amount, frequency and duration of services. DAAS conducts annual audit monitoring of each of the AAA's. Documents are reviewed either on site or at the DAAS office. During on site reviews, DAAS reviews records and visits participants to assure that care plans are sufficient to meet participant needs, services are being delivered and participants are satisfied with their providers. The sample size for each review will be sufficient to provide a confidence level equal to 9580% and a confidence interval equal to 5.

The SMA conducts an annual review of the Aging Wwaiver program for each of the five waiver years. At a minimum, one comprehensive review will be conducted during this five year cycle. The comprehensive review will include reviewing a random sample of care plans, Level of Care, MDS-HC assessments and other required documentation from each AAA to be sure all items are compliant with all current policy, rules and regulations participant and provider interviews. The other annual reviews will be focused reviews. The criteria for the focused reviews will be determined from DAAS and SMA review findings as well as other issues that develop during the review year. The sample size for each review will be sufficient to provide a confidence level equal to 8095% and a confidence interval equal to 5.

**b. Methods for Remediation/Fixing Individual Problems**

- i. *Describe the State's method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.*

Individual issues identified by the SMA and DAAS that affect the health and welfare of individual participants are addressed immediately. Issues requiring immediate attention are addressed in a variety of ways. Depending on the circumstances of the individual case the interventions could include: contacting the OA, case management and/or direct care provider

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agencies requiring an immediate review and remediation of the issue, reporting the issue to APS and/or local law enforcement or the state's Medicaid Fraud Control Unit, the licensing authority or the survey/certification authority. To assure the issue has been addressed, entities assigned the responsibility of review and remediations are required to report back to the OA or SMA on the results of their interventions within designated time frames. A description of issues requiring immediate attention and outcomes are documented through the SMA final report. Issues that are less immediate are corrected within designated time frames and are documented through the SMA final review report. When the SMA determines that an issue is resolved, notification is provided and documentation is maintained by the SMA.

**ii. Remediation Data Aggregation**

<b>Remediation-related Data Aggregation and Analysis (including trend identification)</b>	<b>Responsible Party (check each that applies):</b>	<b>Frequency of data aggregation and analysis (check each that applies):</b>
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
		<input type="checkbox"/> Continuously and Ongoing
		<input checked="" type="checkbox"/> Other Specify:
		OA: Continuously and Ongoing SMA: At a minimum of every five years.

**c. Timelines**

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Service Plans that are currently non-operational.

<input checked="" type="radio"/>	No
<input type="radio"/>	Yes

Please provide a detailed strategy for assuring Service Plans, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

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## Appendix E: Participant Direction of Services

**Applicability** (from Application Section 3, Components of the Waiver Request):

<input checked="checked" type="radio"/>	<b>Yes. This waiver provides participant direction opportunities.</b> Complete the remainder of the Appendix.
<input type="radio"/>	<b>No. This waiver does not provide participant direction opportunities.</b> Do not complete the remainder of the Appendix.

*CMS urges states to afford all waiver participants the opportunity to direct their services. Participant direction of services includes the participant exercising decision-making authority over workers who provide services, a participant-managed budget or both. CMS will confer the Independence Plus designation when the waiver evidences a strong commitment to participant direction.*

**Indicate whether Independence Plus designation is requested** (select one):

<input type="radio"/>	<b>Yes. The State requests that this waiver be considered for Independence Plus designation.</b>
<input checked="checked" type="radio"/>	<b>No. Independence Plus designation is not requested.</b>

### Appendix E-1: Overview

- a. Description of Participant Direction.** In no more than two pages, provide an overview of the opportunities for participant direction in the waiver, including: (a) the nature of the opportunities afforded to participants; (b) how participants may take advantage of these opportunities; (c) the entities that support individuals who direct their services and the supports that they provide; and, (d) other relevant information about the waiver's approach to participant direction.

**a) The nature of the opportunities afforded to participants.**

The Personal Attendant Service is the only waiver service that offers an opportunity for participant direction. This service may be provided as either a self-directed service or an agency based service.

**b) How participants may take advantage of these opportunities.**

When the Personal Attendant Service is provided as a self-directed service, individuals and/or their chosen representative hire individual employees to perform this waiver service. The individual and/or their chosen representative are then responsible to perform the functions of supervising, hiring, assuring that employee qualifications are met, scheduling, assuring accuracy of time sheets, etc.

**c) The entities that support individuals who direct their services and the supports that they provide.**

When the Personal Attendant is employed directly by the participant and/or their chosen representative, the use of a Financial Management Agency is required. The Financial Management Agency assists with managing the employer related financial responsibilities associated with the participant directed model.

- b. Participant Direction Opportunities.** Specify the participant direction opportunities that are available in the waiver. *Select one:*

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<input checked="" type="radio"/>	<b>Participant – Employer Authority.</b> As specified in <i>Appendix E-2, Item a</i> , the participant (or the participant’s representative) has decision-making authority over workers who provide waiver services. The participant may function as the common law employer or the co-employer of workers. Supports and protections are available for participants who exercise this authority.
<input type="radio"/>	<b>Participant – Budget Authority.</b> As specified in <i>Appendix E-2, Item b</i> , the participant (or the participant’s representative) has decision-making authority over a budget for waiver services. Supports and protections are available for participants who have authority over a budget.
<input type="radio"/>	<b>Both Authorities.</b> The waiver provides for both participant direction opportunities as specified in <i>Appendix E-2</i> . Supports and protections are available for participants who exercise these authorities.

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**c. Availability of Participant Direction by Type of Living Arrangement.** *Check each that applies:*

<input checked="" type="checkbox"/>	Participant direction opportunities are available to participants who live in their own private residence or the home of a family member.
<input type="checkbox"/>	Participant direction opportunities are available to individuals who reside in other living arrangements where services (regardless of funding source) are furnished to fewer than four persons unrelated to the proprietor.
<input checked="" type="checkbox"/>	The participant direction opportunities are available to persons in the following other living arrangements <i>Specify these living arrangements:</i> Participant direction opportunities are available to participants who live in the home of a friend.

**d. Election of Participant Direction.** Election of participant direction is subject to the following policy (*select one*):

<input type="radio"/>	Waiver is designed to support only individuals who want to direct their services.
<input checked="" type="radio"/>	The waiver is designed to afford every participant (or the participant's representative) the opportunity to elect to direct waiver services. Alternate service delivery methods are available for participants who decide not to direct their services.
<input type="radio"/>	The waiver is designed to offer participants (or their representatives) the opportunity to direct some or all of their services, subject to the following criteria specified by the State. Alternate service delivery methods are available for participants who decide not to direct their services or do not meet the criteria. <i>Specify the criteria</i>

**e. Information Furnished to Participant.** Specify: (a) the information about participant direction opportunities (e.g., the benefits of participant direction, participant responsibilities, and potential liabilities) that is provided to the participant (or the participant's representative) to inform decision-making concerning the election of participant direction; (b) the entity or entities responsible for furnishing this information; and, (c) how and when this information is provided on a timely basis.

<p>a) <u>The information about participant direction opportunities (e.g., the benefits of participant direction, participant responsibilities, and potential liabilities) that is provided to the participant (or the participant's representative) to inform decision-making concerning the election of participant direction.</u></p> <p>The participant <u>or their personal representative</u> signs a Consumer Letter of Agreement form, Emergency Back-Up form and, if a representative is designated, a Designation of Personal Representative Agreement form. The Consumer Letter of Agreement form defines the responsibilities of the participant including hiring, training and supervising and if needed, terminating their employees, verification of employee hours submitted on time sheets to the Financial Management Agency, reasons for potential discontinuation of the service and the right to appeal a decision for discontinuation. The Emergency Back-up form lists up to three individuals <u>or a traditional service provider if there are no other individuals who are willing or able to provide services</u> that could provide services if the regular attendant was not available. <del>and also includes a separate plan if those individuals</del></p>
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## Appendix E: Participant Direction of Services

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~~are not available.~~ The Designation of Personal Representative Agreement form identifies who the personal representative is and their responsibilities to the participant and their employee(s). A separate Employment Agreement form defines the activities the Personal Attendant is responsible to perform and potential reasons for termination. The participant is informed of training that is available to them if they need assistance in becoming an employer.

b) The entity or entities responsible for furnishing this information.

It is the responsibility of the Case Manager to furnish the information.

c) How and when this information is provided on a timely basis.

If it is determined during the assessment, by the AAA, that the participant desires to self-direct their services and has the capacity to do so, or has a responsible representative to do so, then the participant and/or their representative are presented information by the Case Manager (CM).

- f. **Participant Direction by a Representative.** Specify the State's policy concerning the direction of waiver services by a representative (*select one*):

<input type="radio"/>	<b>The State does not provide for the direction of waiver services by a representative.</b>
<input checked="" type="radio"/>	<b>The State provides for the direction of waiver services by representatives.</b> Specify the representatives who may direct waiver services: ( <i>check each that applies</i> ):
<input checked="" type="checkbox"/>	<b>Waiver services may be directed by a legal representative of the participant.</b>
<input checked="" type="checkbox"/>	<b>Waiver services may be directed by a non-legal representative freely chosen by an adult participant.</b> Specify the policies that apply regarding the direction of waiver services by participant-appointed representatives, including safeguards to ensure that the representative functions in the best interest of the participant:  The representative signs a Designation of Personal Representative Agreement form which describes the representative's role and responsibilities. This form explains that the representative must follow Medicaid waiver rules, regulations and procedures. Individuals designated as personal representatives are prohibited from providing any waiver services. Compliance reviews are conducted by the case management agency.

- g. **Participant-Directed Services.** Specify the participant direction opportunity (or opportunities) available for each waiver service that is specified as participant-directed in Appendix C-1/C-3. (*Check the opportunity or opportunities available for each service*):

Participant-Directed Waiver Service	Employer Authority	Budget Authority
Personal Attendant Service	X	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

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- h. Financial Management Services.** Except in certain circumstances, financial management services are mandatory and integral to participant direction. A governmental entity and/or another third-party entity must perform necessary financial transactions on behalf of the waiver participant. *Select one:*

<input checked="" type="checkbox"/>	<b>Yes. Financial Management Services are furnished through a third party entity.</b> <i>(Complete item E-1-i).</i> Specify whether governmental and/or private entities furnish these services. <i>Check each that applies:</i>
<input type="checkbox"/>	<b>Governmental entities</b>
<input checked="" type="checkbox"/>	<b>Private entities</b>
<input type="checkbox"/>	<b>No. Financial Management Services are not furnished. Standard Medicaid payment mechanisms are used.</b> <i>Do not complete Item E-1-i.</i>

- i. Provision of Financial Management Services.** Financial management services (FMS) may be furnished as a waiver service or as an administrative activity. *Select one:*

<input checked="" type="checkbox"/>	FMS are covered as the waiver service specified in Appendix C-1/C-3 <b>The waiver service entitled:</b>	Financial Management Services
<input type="checkbox"/>	<b>FMS are provided as an administrative activity.</b> <i>Provide the following information</i>	
<b>i.</b>	<b>Types of Entities:</b> Specify the types of entities that furnish FMS and the method of procuring these services: The State uses private vendors to furnish FMS. Any qualified, willing provider may enroll to offer this service. The procurement method is the same as with all other services.	
<b>ii.</b>	<b>Payment for FMS.</b> Specify how FMS entities are compensated for the administrative activities that they perform: Payment for FMS is a monthly unit that is paid to the providers.	
<b>iii.</b>	<b>Scope of FMS.</b> Specify the scope of the supports that FMS entities provide <i>(check each that applies):</i> Supports furnished when the participant is the employer of direct support workers:	
	<input checked="" type="checkbox"/>	<b>Assists participant in verifying support worker citizenship status</b>
	<input checked="" type="checkbox"/>	<b>Collects and processes timesheets of support workers</b>
	<input checked="" type="checkbox"/>	<b>Processes payroll, withholding, filing and payment of applicable federal, state and local employment-related taxes and insurance</b>
	<input checked="" type="checkbox"/>	<b>Other</b> <i>Specify:</i> In support of self-administration, Financial Management Services will assist individuals in the following activities: 1. Verify that the employee completed the following forms a. Form I-9, including supporting documentation (i.e. copies of driver's license, social security card, passport). If fines are levied against the person for failure to report INS information, the FMS shall be responsible for all such fines.

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		<p>b. Form W-4</p> <p>2. Obtain a completed and signed Form 2678, Employer Appointment of Agent, from each person receiving services from the Financial Management Services provider, in accordance with IRS Revenue Procedure 70-6.</p> <p>3. Provide persons with a packet of all required forms when using a Financial Management Services provider, including all tax forms (IRS Forms I-9, W-4 and 2678), payroll schedule, Financial Management Services provider's contact information, and training material for the web-based timesheet.</p> <p>4. Process and pay approved employee timesheets, including generating and issuing paychecks to employees hired by the person.</p> <p>5. Assume all fiscal responsibilities for withholding and depositing FICA and SUTA/FUTA payments on behalf of the person. Any federal and/or State penalties assessed for failure to withhold the correct amount and/or timely filing and depositing will be paid by the Financial Management Services provider.</p> <p>6. Maintain a customer service system for persons and employees who may have billing questions or require assistance in using the web-based timesheet. The Financial Management Services provider will maintain an 800-number for calls received outside the immediate office area. Messages must be returned within 24 hours Monday thru Friday. Messages left between noon on Friday and Sunday evening shall be returned the following Monday.</p> <p>a. Must have capabilities in providing assistance in English and Spanish. The FMS must also communicate through TTY, as needed, for persons with a variety of disabilities.</p> <p>7. File consolidated payroll reports for multiple employers. The Financial Management Services provider must obtain federal designation as Financial Management Services provider under IRS Rule 3504, (Acts to be Performed by Agents). A Financial Management Services provider applicant must make an election with the appropriate IRS Service Center via Form 2678, (Employer Appointment of Agent). The Financial Management Services provider must carefully consider if they want to avail the Employers of the various tax relief provisions related to domestics and family employers. The Financial Management Services provider may forego such benefits to maintain standardization. Treatment on a case-by-case basis is tedious, and would require retroactive applications and amended employment returns. The Financial Management Services provider will, if required, comply with IRS Regulations 3306(a)(3)(c)(2), 3506 and 31.3306(c)(5)-1 and 31.3506 (all parts), together with IRS Publication 926, Household Employer's Tax Guide. In order to be fully operational, the Form 2678 election should be postured to fall under two vintages yet fully relevant Revenue Procedures; Rev. Proc. 70-6 allows the Financial Management Services provider file one employment tax return, regardless of the number of employers they acquire.</p>
		Supports furnished when the participant exercises budget authority:
	<input type="checkbox"/>	<b>Maintains a separate account for each participant's participant-directed budget</b>
	<input type="checkbox"/>	<b>Tracks and reports participant funds, disbursements and the balance-of participant funds</b>

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	<input type="checkbox"/>	<b>Processes and pays invoices for goods and services approved in the service plan</b>
	<input type="checkbox"/>	<b>Provide participant with periodic reports of expenditures and the status of the participant-directed budget</b>
	<input type="checkbox"/>	<b>Other services and supports</b> <i>Specify:</i>
	Additional functions/activities:	
	<input checked="" type="checkbox"/>	<b>Executes and holds Medicaid provider agreements as authorized under a written agreement with the Medicaid agency</b>
	<input checked="" type="checkbox"/>	<b>Receives and disburses funds for the payment of participant-directed services under an agreement with the Medicaid agency or operating agency</b>
	<input checked="" type="checkbox"/>	<b>Provides other entities specified by the State with periodic reports of expenditures and the status of the participant-directed budget</b>
	<input type="checkbox"/>	<b>Other</b> <i>Specify:</i>
<b>iv.</b>	<p><b>Oversight of FMS Entities.</b> Specify the methods that are employed to: (a) monitor and assess the performance of FMS entities, including ensuring the integrity of the financial transactions that they perform; (b) the entity (or entities) responsible for this monitoring; and, (c) how frequently performance is assessed.</p> <p>The SMA and the OA will assure that high standards are maintained by utilizing the following: surveys of participants, regular observation and evaluation by Case Managers, provider quality assurance reviews, and other oversight activities as appropriate.</p>	

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- j. Information and Assistance in Support of Participant Direction.** In addition to financial management services, participant direction is facilitated when information and assistance are available to support participants in managing their services. These supports may be furnished by one or more entities, provided that there is no duplication. Specify the payment authority (or authorities) under which these supports are furnished and, where required, provide the additional information requested (*check each that applies*):

<input checked="" type="checkbox"/>	<b>Case Management Activity.</b> Information and assistance in support of participant direction are furnished as an element of Medicaid case management services. <i>Specify in detail the information and assistance that are furnished through case management for each participant direction opportunity under the waiver:</i>	
	During the comprehensive needs assessment process, the OA R.N. will identify each individual's needs that can be addressed through <del>anyone or more of the</del> available self-directed waiver services. The case management agency will inform the individual or a representative of the opportunity to utilize self-direction for their identified services and discuss the options for personal choice in directly employing a chosen person or to utilize an agency-based provider for services.	
<input type="checkbox"/>	<b>Waiver Service Coverage.</b> Information and assistance in support of participant direction are provided through the waiver service coverage (s) specified in Appendix C-1/C-3 (check each that applies):	
	<b>Participant-Directed Waiver Service</b>	<b>Information and Assistance Provided through this Waiver Service Coverage</b>
	(list of services from Appendix C-1/C-3)	<input type="checkbox"/>
<input type="checkbox"/>	<b>Administrative Activity.</b> Information and assistance in support of participant direction are furnished as an administrative activity. <i>Specify (a) the types of entities that furnish these supports; (b) how the supports are procured and compensated; (c) describe in detail the supports that are furnished for each participant direction opportunity under the waiver; (d) the methods and frequency of assessing the performance of the entities that furnish these supports; and (e) the entity or entities responsible for assessing performance:</i>	

- k. Independent Advocacy** (*select one*).

<input checked="" type="radio"/>	<b>No. Arrangements have not been made for independent advocacy.</b>
<input type="radio"/>	<b>Yes.</b> Independent advocacy is available to participants who direct their services. <i>Describe the nature of this independent advocacy and how participants may access this advocacy:</i>

- l. Voluntary Termination of Participant Direction.** Describe how the State accommodates a participant who voluntarily terminates participant direction in order to receive services through an alternate service delivery method, including how the State assures continuity of services and participant health and welfare during the transition from participant direction:

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The participant or their personal representative notifies the Case Manager (CM) that they no longer wish to participate in self-directed services. The CM then meets with the participant and/or their personal representative, if applicable to revise the care plan and select a provider from the Freedom of Choice of Providers ~~Choice~~ Form. The Case Manager then contacts these providers and issues a service authorization to them. There would not be a delay in services as the participant has already chosen what to do if their back-up plan fails. Traditional providers are listed in place of their personal attendant or back-up personal attendant(s).

- m. **Involuntary Termination of Participant Direction.** Specify the circumstances when the State will involuntarily terminate the use of participant direction and require the participant to receive provider-managed services instead, including how continuity of services and participant health and welfare is assured during the transition.

Potential suspension or discontinuation of Personal Attendant Services could include the following:

- Hospitalization or short term placement in a nursing or rehabilitation facility
- Change in condition of the participants ability to manage the services and if there is no personal representative available.
- Failure to provide required agreements or comply with requirements.
- Evidence that services are not being performed or the employee(s) is providing services outside of service specifications.
- Report of a participant being abused or exploited by the employee or personal representative.
- Participant or their representative fails to cooperate with authorization changes or rules.
- Evidence that hours were billed for services that were not provided.

The Personal Attendant Service Consumer Letter of Agreement form, which is signed by the participant and/or their representative, informs the participant, in advance, of the circumstances that may result in involuntary termination of participant direction. Also, prior to discontinuing services provided by the personal attendant, the Case Manager will confer with the OA regarding the reason(s) for the discontinuation. If the OA agrees to discontinue the services provided by the personal attendant, then the CM will be instructed to discuss the reason(s) for discontinuing the service with the participant and/or their personal representative and assist them in obtaining needed services through a traditional provider(s).

- n. **Goals for Participant Direction.** In the following table, provide the State's goals for each year that the waiver is in effect for the unduplicated number of waiver participants who are expected to elect each applicable participant direction opportunity. Annually, the State will report to CMS the number of participants who elect to direct their waiver services.

Table E-1-n		
	Employer Authority Only	Budget Authority Only or Budget Authority in Combination with Employer Authority
Waiver Year	Number of Participants	Number of Participants

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## Appendix E: Participant Direction of Services

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<b>Year 1</b>	55	
<b>Year 2</b>	55	
<b>Year 3</b>	55	
<b>Year 4</b> (only appears if applicable based on Item 1-C)	55	
<b>Year 5</b> (only appears if applicable based on Item 1-C)	55	

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## Appendix E-2: Opportunities for Participant-Direction

- a. Participant – Employer Authority** *Complete when the waiver offers the employer authority opportunity as indicated in Item E-1-b:*

- i. Participant Employer Status.** Specify the participant's employer status under the waiver. *Select one or both:*

<input type="checkbox"/>	<b>Participant/Co-Employer.</b> The participant (or the participant's representative) functions as the co-employer (managing employer) of workers who provide waiver services. An agency is the common law employer of participant-selected/recruited staff and performs necessary payroll and human resources functions. Supports are available to assist the participant in conducting employer-related functions.  Specify the types of agencies (a.k.a., "agencies with choice") that serve as co-employers of participant-selected staff:
<input checked="" type="checkbox"/>	<b>Participant/Common Law Employer.</b> The participant (or the participant's representative) is the common law employer of workers who provide waiver services. An IRS-approved Fiscal/Employer Agent functions as the participant's agent in performing payroll and other employer responsibilities that are required by federal and state law. Supports are available to assist the participant in conducting employer-related functions.

- ii. Participant Decision Making Authority.** The participant (or the participant's representative) has decision making authority over workers who provide waiver services. *Select one or more decision making authorities that participants exercise:*

X	<b>Recruit staff</b>
X	<b>Refer staff to agency for hiring (co-employer)</b>
X	<b>Select staff from worker registry</b>
X	<b>Hire staff (common law employer)</b>
X	<b>Verify staff qualifications</b>
x	<b>Obtain criminal history and/or background investigation of staff</b> Specify how the costs of such investigations are compensated: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">           It is the responsibility of the AAAs to obtain an annual background screening on each participant's <u>Personal Attendant Services (PAS)</u> employee(s). <del>This is a free service if the employee(s) have continuously lived in Utah for the five years immediately preceding the day the application is submitted to the Office of Licensing for the background screening. The PAS provider</del> If they do not meet these qualifications, the employee must pay for their own background screening and fingerprinting as a requirement for employment.         </div>
X	Specify additional staff qualifications based on participant needs and preferences so long as such qualifications are consistent with the qualifications specified in Appendix C-1/C-3.
X	Determine staff duties consistent with the service specifications in Appendix C-1/C-3.
X	Determine staff wages and benefits subject to applicable State limits
X	Schedule staff

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<input checked="" type="checkbox"/>	<b>Orient and instruct-staff in duties</b>
<input checked="" type="checkbox"/>	<b>Supervise staff</b>
<input checked="" type="checkbox"/>	<b>Evaluate staff performance</b>
<input checked="" type="checkbox"/>	<b>Verify time worked by staff and approve time sheets</b>
<input checked="" type="checkbox"/>	<b>Discharge staff (common law employer)</b>
<input checked="" type="checkbox"/>	<b>Discharge staff from providing services (co-employer)</b>
<input type="checkbox"/>	<b>Other</b> Specify:

b. **Participant – Budget Authority** Complete when the waiver offers the budget authority opportunity as indicated in Item E-1-b:

i. **Participant Decision Making Authority.** When the participant has budget authority, indicate the decision-making authority that the participant may exercise over the budget. *Select one or more:*

<input type="checkbox"/>	<b>Reallocate funds among services included in the budget</b>
<input type="checkbox"/>	<b>Determine the amount paid for services within the State's established limits</b>
<input type="checkbox"/>	<b>Substitute service providers</b>
<input type="checkbox"/>	<b>Schedule the provision of services</b>
<input type="checkbox"/>	<b>Specify additional service provider qualifications consistent with the qualifications specified in Appendix C-1/C-3</b>
<input type="checkbox"/>	<b>Specify how services are provided, consistent with the service specifications contained in Appendix C-1/C-3</b>
<input type="checkbox"/>	<b>Identify service providers and refer for provider enrollment</b>
<input type="checkbox"/>	<b>Authorize payment for waiver goods and services</b>
<input type="checkbox"/>	<b>Review and approve provider invoices for services rendered</b>
<input type="checkbox"/>	<b>Other</b> Specify:

ii. **Participant-Directed Budget.** Describe in detail the method(s) that are used to establish the amount of the participant-directed budget for waiver goods and services over which the participant has authority, including how the method makes use of reliable cost estimating information and is applied consistently to each participant. Information about these method(s) must be made publicly available.

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- iii. **Informing Participant of Budget Amount.** Describe how the State informs each participant of the amount of the participant-directed budget and the procedures by which the participant may request an adjustment in the budget amount.

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- iv. **Participant Exercise of Budget Flexibility.** *Select one:*

<input type="radio"/>	<b>Modifications to the participant directed budget must be preceded by a change in the service plan.</b>
<input type="radio"/>	<b>The participant has the authority to modify the services included in the participant directed budget without prior approval.</b> Specify how changes in the participant-directed budget are documented, including updating the service plan. When prior review of changes is required in certain circumstances, describe the circumstances and specify the entity that reviews the proposed change:

- v. **Expenditure Safeguards.** Describe the safeguards that have been established for the timely prevention of the premature depletion of the participant-directed budget or to address potential service delivery problems that may be associated with budget underutilization and the entity (or entities) responsible for implementing these safeguards:

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## Appendix F: Participant Rights

### Appendix F-1: Opportunity to Request a Fair Hearing

The State provides an opportunity to request a Fair Hearing under 42 CFR Part 431, Subpart E to individuals: (a) who are not given the choice of home and community-based services as an alternative to the institutional care specified in Item 1-F of the request; (b) are denied the service(s) of their choice or the provider(s) of their choice; or, (c) whose services are denied, suspended, reduced or terminated. The State provides notice of action as required in 42 CFR §431.210.

**Procedures for Offering Opportunity to Request a Fair Hearing.** Describe how the individual (or his/her legal representative) is informed of the opportunity to request a fair hearing under 42 CFR Part 431, Subpart E. Specify the notice(s) that are used to offer individuals the opportunity to request a Fair Hearing. State laws, regulations, policies and notices referenced in the description are available to CMS upon request through the operating or Medicaid agency.

When the participant begins receiving Aging ~~W~~waiver services, they must sign a Right to Fair Hearing form provided to them by the OA. This document informs the participant, and/or their representative, of their right to appeal an alleged adverse action in regard to their participation in the waiver program. The Right to Fair Hearing document elaborates on the time frame to file an appeal and lists- how to an appeal may be requested.

The OA also sends the participant a Notice of Decision (NOD) form anytime an action could negatively impact them including: not allowing choice between care in a skilled nursing facility instead of HCB services; denying an individual's choice of services and/or providers of those services; or actions to deny/suspend/reduce or terminate services. The purpose of the NOD form is to inform the participant of the adverse action, their right to a fair hearing and continued service during the hearing process, the time frame to file an appeal and who to contact to file an appeal. ~~All NOD forms, which contain the notices of fair hearings, are stored at the Hearing Office at the Utah Department of Health.~~

~~The appeal should be sent to the program staff that are involved in re-evaluating their decision and will then notify the participant of the appeal decision. If the participant is not satisfied with the decision, the participant may move to the next level of the appeal process. The Case Manager needs to notify the AAA before any NOD is sent.~~

The participant is encouraged to utilize an informal dispute resolution process with the AAA to expedite equitable solutions, but may forgo or interrupt the available informal resolution process at any time by completing a request for a formal hearing. The participant can request a formal hearing by completing a Request for Hearing/Agency Action form and submitting it to the Department of Health, Division of Medicaid Health Financing within 30 days.

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## Appendix F-2: Additional Dispute Resolution Process

- a. Availability of Additional Dispute Resolution Process.** Indicate whether the State operates another dispute resolution process that offers participants the opportunity to appeal decisions that adversely affect their services while preserving their right to a Fair Hearing. *Select one:*

<input checked="checked" type="radio"/>	<b>No. This Appendix does not apply</b>
<input type="radio"/>	<b>Yes. The State operates an additional dispute resolution process</b>

- b. Description of Additional Dispute Resolution Process.** Describe the additional dispute resolution process, including: (a) the State agency that operates the process; (b) the nature of the process (i.e., procedures and timeframes), including the types of disputes addressed through the process; and, (c) how the right to a Medicaid Fair Hearing is preserved when a participant elects to make use of the process: State laws, regulations, and policies referenced in the description are available to CMS upon request through the operating or Medicaid agency.

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## Appendix F-3: State Grievance/Complaint System

**a. Operation of Grievance/Complaint System.** *Select one:*

<input checked="checked" type="radio"/>	<b>No. This Appendix does not apply</b>
<input type="radio"/>	<b>Yes. The State operates a grievance/complaint system that affords participants the opportunity to register grievances or complaints concerning the provision of services under this waiver</b>

**b. Operational Responsibility.** Specify the State agency that is responsible for the operation of the grievance/complaint system:

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**c. Description of System.** Describe the grievance/complaint system, including: (a) the types of grievances/complaints that participants may register; (b) the process and timelines for addressing grievances/complaints; and, (c) the mechanisms that are used to resolve grievances/complaints. State laws, regulations, and policies referenced in the description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

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## Appendix G: Participant Safeguards

### Appendix G-1: Response to Critical Events or Incidents

- a. **Critical Event or Incident Reporting and Management Process.** Indicate whether the State operates Critical Event or Incident Reporting and Management Process that enables the State to collect information on sentinel events occurring in the waiver program. *Select one:*

<input checked="" type="radio"/>	<b>Yes. The State operates a Critical Event or Incident Reporting and Management Process</b> <i>(complete Items b through e)</i>
<input type="radio"/>	<b>No. This Appendix does not apply</b> <i>(do not complete Items b through e).</i> <i>If the State does not operate a Critical Event or Incident Reporting and Management Process, describe the process that the State uses to elicit information on the health and welfare of individuals served through the program.</i>

- b. **State Critical Event or Incident Reporting Requirements.** Specify the types of critical events or incidents (including alleged abuse, neglect and exploitation) that the State requires to be reported for review and follow-up action by an appropriate authority, the individuals and/or entities that are required to report such events and incidents, and the timelines for reporting. State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**State of Utah Reporting Requirements:**

In accordance with section 62A-3-305 of the Utah State Code, any person who has reason to believe that any vulnerable adult has been the subject of abuse, neglect, or exploitation shall immediately notify Adult Protective Services intake or the nearest law enforcement agency.

**State Medicaid Agency (DOH) Critical Event or Incident Reporting Requirements:**

The SMA requires that the DAAS administration report critical incidents/events, by e-mail, phone or in person, within 24 hours or on the first business day after the event occurs. Reportable incidents or events include: any unexpected or accidental deaths, all suicide attempts, medication errors that result in the participant experiencing adverse side effects requiring medical treatment at a medical clinic or emergency room or admission to a hospital, or unexpected, hospitalization or other serious outcomes, provider or caregiver abuse or neglect, including self-neglect that results in medical treatment at a medical clinic or emergency room or hospitalization, accidents that result in hospitalization, missing, human rights violations such as unauthorized use of restraints, criminal activities involving law enforcement that are perpetrated by or on a waiver participant, events that compromise the participant's working or living

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environment that put a participant(s) at risk, Medicaid fraud that involves alleged or confirmed waste, fraud or abuse of Medicaid funds by either a provider or a recipient of Medicaid services. In addition, events that are anticipated to receive media, legislative, or other public scrutiny are required to be reported to the SMA immediately.

**Operating Agency (DAAS) Critical Event or Incident Reporting Requirements:**

DAAS will notify the SMA of any critical events/incidents within 24 hours of the incident or on the first business day after the incident.

- c. **Participant Training and Education.** Describe how training and/or information is provided to participants (and/or families or legal representatives, as appropriate) concerning protections from abuse, neglect, and exploitation, including how participants (and/or families or legal representatives, as appropriate) can notify appropriate authorities or entities when the participant may have experienced abuse, neglect or exploitation.

The Case Manager provides information to the participant, regarding potential situations that should be reported to Adult Protective Services and/or their Case Manager, initially upon enrollment and annually thereafter. The CM will begin documenting this on the Freedom of Choice of Providers~~provider choices~~ form upon approval of the waiver.

They also inform the participant about self-neglect and that this is a mandatory reporting incident. They are given the CM's phone number as well as APS phone number.

- d. **Responsibility for Review of and Response to Critical Events or Incidents.** Specify the entity (or entities) that receives reports of critical events or incidents specified in item G-1-a, the methods that are employed to evaluate such reports, and the processes and time-frames for responding to critical events or incidents, including conducting investigations.

**Responsibility of the State Medicaid Agency**

After a critical incident/event is reported to the SMA by the OA, the OA investigates the incident/event and submits the completed *Critical Incident/Event Investigation* to the SMA within two weeks of reporting the incident/event. Within five business days after receiving the critical incident investigation from, the SMA will review the investigation form submitted by the OA. Cases that are complicated and involve considerable investigation may require additional time to complete the findings document. The SMA reviews the report to determine if the incident could have been avoided, if additional supports or interventions have been implemented to prevent the incident from recurring, if changes to the care plan and/or budget have been made, if any systemic issues were identified and a plan to address systemic issues developed. The SMA then completes the *Critical Incident/Event Final SMA Report* which includes a summary of the incident/event, remediation activities and SMA findings and recommendations. Participants and/or legal representatives are informed in writing by the SMA of the investigation results.

**Responsibility of the Operating Agency**

The operating agency has responsibility for receiving, reviewing and responding to critical incidents within one business day after discovery.

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Incidents involving suspected or actual abuse, neglect or exploitation will be reported to APS in accordance with Utah State Law 76-5-111 and State Rule R510-302.

The OA will assure immediate interventions are taken when warranted to protect the health and welfare of the recipient. The Case Manager follows up on incidents and APS referrals. When warranted, the Case Manager with approval from the AAA OARN, will put effective safeguards and interventions in place that address participant's health and welfare. An investigation is conducted to determine the facts, if the needs of the recipient have changed and warrant an updated needs assessment and identify preventive strategies for the future. The care plan is amended as dictated by the circumstances.

- e. **Responsibility for Oversight of Critical Incidents and Events.** Identify the State agency (or agencies) responsible for overseeing the reporting of and response to critical incidents or events that affect waiver participants, how this oversight is conducted, and how frequently.

**Oversight Responsibility of Critical Incidents/Events of the State Medicaid Agency:**

The SMA reviews 100% of critical incident reports annually. During annual reviews, the SMA reviews all incident reports that relate to participants in the review sample. The SMA also reviews the DAAS annual Incident Report. If the SMA detects systemic problems either through this reporting mechanism or during the SMA's program review process, DAAS will be required to submit a plan of correction to the SMA. The plan of correction will include the interventions to be taken and the time frame for completion. All plans of correction are subject to acceptance by the SMA. The SMA will conduct follow-up activities to determine that the plans of corrections have been achieved and are continual.

**Oversight Responsibility of Critical Incidents/Events of the Operating Agency:**

The operating agency has responsibility for oversight of critical incidents and events. DAAS will submit a plan of correction if a systemic problem is identified. The submitted plan is utilized to identify prevention strategies on a system wide basis and identify potential areas for quality improvement. In addition, DAAS will prepare and submit, to the SMA, an annual incident report which includes an analysis of the incident data, remediation and quality improvement activities.

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## Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions

- a. **Use of Restraints** (*select one*): (*For waiver actions submitted before March 2014, responses in Appendix G-2-a will display information for both restraints and seclusion. For most waiver actions submitted after March 2014, responses regarding seclusion appear in Appendix G-2-c.*)

<input checked="" type="radio"/>	<p><b>The State does not permit or prohibits the use of restraints</b></p> <p>Specify the State agency (or agencies) responsible for detecting the unauthorized use of restraints and how this oversight is conducted and its frequency:</p> <p>The SMA monitors for the use of any restraints or seclusion during formal reviews and also when reviewing critical incident notifications. The SMA reviews participant records and conducts interviews with providers and participants to determine if any incidents involve the use of restraints or seclusion. The formal reviews are conducted, at a minimum, every five years. The sample size for each review will be sufficient to provide a confidence level equal to <u>8095</u>% and a confidence interval equal to 5. The SMA has established a Critical/Event Incident Notification system that requires DAAS to notify the SMA of any serious incidents including the use of restraints or seclusion that are reported as part of critical incident notifications.</p> <p>The OA also verifies that there is no use of restraints or seclusion when conducting on site visits and performing annual reviews. Any incidents involving the use of restraints or seclusion would be immediately reported to Adult Protective Services.</p> <p>Case Managers have the day to day responsibility to assure that there are no incidents involving the use of restraints or seclusion.</p>
<input type="radio"/>	<p><b>The use of restraints is permitted during the course of the delivery of waiver services.</b></p> <p>Complete Items G-2-a-i and G-2-a-ii:</p>

- i. **Safeguards Concerning the Use of Restraints.** Specify the safeguards that the State has established concerning the use of each type of restraint (i.e., personal restraints, drugs used as restraints, mechanical restraints). State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

--

- ii. **State Oversight Responsibility.** Specify the State agency (or agencies) responsible for overseeing the use of restraints and ensuring that State safeguards concerning their use are followed and how such oversight is conducted and its frequency:

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- b. **Use of Restrictive Interventions**

<input checked="" type="radio"/>	<p><b>The State does not permit or prohibits the use of restrictive interventions</b></p>
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	<p>Specify the State agency (or agencies) responsible for detecting the unauthorized use of restrictive interventions and how this oversight is conducted and its frequency:</p>
	<p>The SMA monitors for the use of any restrictive interventions during formal reviews and also when reviewing critical incident notifications. The SMA reviews participant records and conducts interviews with providers and participants to determine if any incidents involve the use of restrictive interventions. The formal reviews are conducted, at a minimum, every five years. The sample size for each review will be sufficient to provide a confidence level equal to <del>80</del>95% and a confidence interval equal to 5. The SMA has established a Critical/Event Incident Notification system that requires DAAS to notify the SMA of any serious incidents including the use of restrictive interventions that are reported as part of critical incident notifications.</p> <p>The OA also verifies that there is no use of restrictive interventions when conducting on site visits and performing annual reviews. Any incidents involving the use of restrictive interventions would be immediately reported to Adult Protective Services.</p> <p>Case Managers have the day to day responsibility to assure that there are no incidents involving the use of restrictive interventions.</p>
○	<p><b>The use of restrictive interventions is permitted during the course of the delivery of waiver services.</b> Complete Items G-2-b-i and G-2-b-ii.</p>

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- i. Safeguards Concerning the Use of Restrictive Interventions.** Specify the safeguards that the State has in effect concerning the use of interventions that restrict participant movement, participant access to other individuals, locations or activities, restrict participant rights or employ aversive methods (not including restraints or seclusion) to modify behavior. State laws, regulations, and policies referenced in the specification are available to CMS upon request through the Medicaid agency or the operating agency.

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- ii. State Oversight Responsibility.** Specify the State agency (or agencies) responsible for monitoring and overseeing the use of restrictive interventions and how this oversight is conducted and its frequency:

--

- c. Use of Seclusion.** *(Select one): (This section will be blank for waivers submitted before Appendix G-2-c was added to WMS in March 2014, and responses for seclusion will display in Appendix G-2-a combined with information on restraints.)*

<b>X</b>	<p><b>The State does not permit or prohibits the use of seclusion</b></p> <p>Specify the State agency (or agencies) responsible for detecting the unauthorized use of seclusion and how this oversight is conducted and its frequency:</p> <p>The SMA monitors for the use of any seclusion during formal reviews and also when reviewing critical incident notifications. The SMA reviews participant records and conducts interviews with providers and participants to determine if any incidents involve the use of seclusion. The formal reviews are conducted, at a minimum, every five years. The sample size for each review will be sufficient to provide a confidence level equal to <del>80</del><b>95</b>% and a confidence interval equal to 5. The SMA has established a Critical/Event Incident Notification system that requires DAAS to notify the SMA of any serious incidents including the use of seclusion that are reported as part of critical incident notifications.</p> <p>The OA also verifies that there is no use of seclusion when conducting on site visits and performing annual reviews. Any incidents involving the use of seclusion would be immediately reported to Adult Protective Services.</p> <p>Case Managers have the day to day responsibility to assure that there are no incidents involving the use of seclusion.</p>
<b>O</b>	<p><b>The use of seclusion is permitted during the course of the delivery of waiver services.</b></p> <p>Complete Items G-2-c-i and G-2-c-ii.</p>

- i. Safeguards Concerning the Use of Seclusion.** Specify the safeguards that the State has established concerning the use of each type of seclusion. State laws, regulations, and policies that

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are referenced in the specification are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

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- ii. **State Oversight Responsibility.** Specify the State agency (or agencies) responsible for overseeing the use of seclusion and ensuring that State safeguards concerning their use are followed and how such oversight is conducted and its frequency:

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## Appendix G-3: Medication Management and Administration

*This Appendix must be completed when waiver services are furnished to participants who are served in licensed or unlicensed living arrangements where a provider has round-the-clock responsibility for the health and welfare of residents. The Appendix does not need to be completed when waiver participants are served exclusively in their own personal residences or in the home of a family member.*

**a. Applicability.** Select one:

<input checked="checked" type="radio"/>	<b>No. This Appendix is not applicable</b> <i>(do not complete the remaining items)</i>
<input type="radio"/>	<b>Yes. This Appendix applies</b> <i>(complete the remaining items)</i>

**b. Medication Management and Follow-Up**

- i. Responsibility.** Specify the entity (or entities) that have ongoing responsibility for monitoring participant medication regimens, the methods for conducting monitoring, and the frequency of monitoring.

- ii. Methods of State Oversight and Follow-Up.** Describe: (a) the method(s) that the State uses to ensure that participant medications are managed appropriately, including: (a) the identification of potentially harmful practices (e.g., the concurrent use of contraindicated medications); (b) the method(s) for following up on potentially harmful practices; and (c) the State agency (or agencies) that is responsible for follow-up and oversight.

**c. Medication Administration by Waiver Providers**

- i. Provider Administration of Medications.** *Select one:*

<input type="radio"/>	Not applicable <i>(do not complete the remaining items)</i>
<input type="radio"/>	<b>Waiver providers are responsible for the administration of medications to waiver participants who cannot self-administer and/or have responsibility to oversee participant self-administration of medications.</b> <i>(complete the remaining items)</i>

- ii. State Policy.** Summarize the State policies that apply to the administration of medications by waiver providers or waiver provider responsibilities when participants self-administer medications, including (if applicable) policies concerning medication administration by non-medical waiver provider personnel. State laws, regulations, and policies referenced in the specification are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

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**iii. Medication Error Reporting.** *Select one of the following:*

○	<b>Providers that are responsible for medication administration are required to both record and report medication errors to a State agency (or agencies).</b> <i>Complete the following three items:</i>
	(a) Specify State agency (or agencies) to which errors are reported:
	(b) Specify the types of medication errors that providers are required to <i>record</i> :
	(c) Specify the types of medication errors that providers must <i>report</i> to the State:
○	<b>Providers responsible for medication administration are required to record medication errors but make information about medication errors available only when requested by the State.</b> Specify the types of medication errors that providers are required to record:

**iv. State Oversight Responsibility.** Specify the State agency (or agencies) responsible for monitoring the performance of waiver providers in the administration of medications to waiver participants and how monitoring is performed and its frequency.

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## Quality Improvement: Health and Welfare

*As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.*

**a. Methods for Discovery: Health and Welfare**

***The State demonstrates it has designed and implemented an effective system for assuring waiver participant health and welfare. (For waiver actions submitted before June 1, 2014, this assurance read "The State, on an ongoing basis, identifies, addresses, and seeks to prevent the occurrence of abuse, neglect and exploitation.")***

**i. Sub-assurances:**

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**a. Sub-assurance: The state demonstrates on an ongoing basis that it identifies addresses and seeks to prevent instances of abuse, neglect, exploitation and unexplained death.**  
 (Performance measures in this sub-assurance include all Appendix G performance measures for waiver actions submitted before June 1, 2014.)

## Performance Measures

**For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.**

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	<b>Number and percentage of <u>suspected abuse, neglect, exploitation or unexpected death incidents referred referrals made</u> to Adult Protective Services and/or law enforcement <u>as required by, according to state law, within the required timeframe, when there was reason to believe that abuse, neglect and/or exploitation had occurred.</u></b> (Numerator = # of referrals made; Denominator = total # of referrals required)		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: MDS-HC Supplement (Social Support information pg 4), Care Plan and Participant records			
<b>Waiver for Individuals Age 65 or Older database</b> <b>Case Manager</b> <b>Participant Records</b> <b>Participant Interviews</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	X State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	X Operating Agency	<input type="checkbox"/> Monthly	X Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	X Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other Specify:	

State:	
Effective Date	

		OA: Continuously and ongoing SMA: At a minimum every five years	<input type="checkbox"/> Other Specify:

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	X Other Specify:
	OA: Annually SMA: At a minimum every 5 years

<b>Performance Measure: #2</b>	<b>Number and percentage of <u>substantiated abuse, neglect, exploitation or unexpected death incidents were required/recommended follow-up (safety plans, corrective action plans, provider sanctions etc.) was completed as directed within the required timeframe. (Numerator = # of substantiated incidents where follow-up completed as directed within the required timeframe; Denominator = Total # of substantiated incidents).</u>incidents involving abuse, neglect and exploitation of waiver participants where recommended actions to protect health and welfare were implemented. (Numerator = the number of reported incidents where recommended actions to protect health and welfare were implemented; Denominator = the total number of incidents requiring safeguards)</b>
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other	
If 'Other' is selected, specify: Waiver for Individuals Age 65 or Older database	
Case Manager Participant Records Participant Interviews	
<b>Waiver for Individuals Age 65 or Older database</b> <b>Case Manager</b> <b>Participant Records</b> <b>Participant Interviews</b>	

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	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		OA: Continuously and ongoing SMA: At a minimum every five years	<input type="checkbox"/> Other Specify:

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Annually SMA: At a minimum every 5 years

<b>Performance Measure: #3</b>	<b>Number and percentage of <u>abuse, neglect, exploitation and unexpected death incidents reviewed/investigated within the required timeframe.</u></b> <del>waiver participant deaths which were reviewed to determine if they were attributable to natural causes.</del> <b>(Numerator = # of substantiated abuse, neglect, exploitation or unexpected death incidents for which the investigation document is submitted within the required timeframe; the # of deaths on the waiver which were</b>
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		<b>reviewed; Denominator = Total # of substantiated incidents/waiver participant deaths);</b>	
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: Waiver for Individuals Age 65 or Older database			
Case Manager			
Participant Records			
Participant Interviews			
<b>Waiver for Individuals Age 65 or Older database</b>			
<b>Case Manager</b>			
<b>Participant Records</b>			
<b>Participant Interviews</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		OA: Continuously and ongoing SMA: At a minimum every five years	<input type="checkbox"/> Other Specify:

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:

State:	
Effective Date	

	OA: Annually SMA: At a minimum every 5 years
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<b><u>Performance Measure: #4</u></b>	<b><u>Number and percentage of abuse, neglect, exploitation and unexpected death incidents reported within the required timeframe specified in the critical incident standard operating procedure. (Numerator = # of reports; Denominator = Total # of reports required).</u></b>
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**Data Source** (Select one) (Several options are listed in the on-line application): Other

If 'Other' is selected, specify: Waiver for Individuals Age 65 or Older database

Case Manager

Participant Records

Participant Interviews

**Waiver for Individuals Age 65 or Older database**

**Case Manager**

**Participant Records**

**Participant Interviews**

	<b><u>Responsible Party for data collection/generation</u></b> (check each that applies)	<b><u>Frequency of data collection/generation:</u></b> (check each that applies)	<b><u>Sampling Approach</u></b> (check each that applies)
	<u>X State Medicaid Agency</u>	<u>□ Weekly</u>	<u>□ 100% Review</u>
	<u>X Operating Agency</u>	<u>□ Monthly</u>	<u>X Less than 100% Review</u>
	<u>□ Sub-State Entity</u>	<u>□ Quarterly</u>	<u>X Representative Sample; Confidence Interval = +/-5%</u>
	<u>□ Other Specify:</u>	<u>□ Annually</u>	
		<u>□ Continuously and Ongoing</u>	<u>□ Stratified; Describe Group:</u>
		<u>X Other Specify:</u>	
		<u>OA: Continuously and ongoing</u> <u>SMA: At a minimum every five years</u>	<u>□ Other Specify:</u>

<b><u>Responsible Party for data aggregation and analysis</u></b> (check each that applies)	<b><u>Frequency of data aggregation and analysis:</u></b> (check each that applies)
<u>X State Medicaid Agency</u>	<u>□ Weekly</u>

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<input checked="" type="checkbox"/> <u>Operating Agency</u>	<input type="checkbox"/> <u>Monthly</u>
<input type="checkbox"/> <u>Sub-State Entity</u>	<input type="checkbox"/> <u>Quarterly</u>
<input type="checkbox"/> <u>Other</u>	<input type="checkbox"/> <u>Annually</u>
<u>Specify:</u>	
	<input type="checkbox"/> <u>Continuously and Ongoing</u>
	<input checked="" type="checkbox"/> <u>Other</u>
	<u>Specify:</u>
	<u>OA: Annually</u>
	<u>SMA: At a minimum every 5 years</u>

<b><u>Performance Measure: #5</u></b>	<b><u>Number and percentage of participants whose records documented they and their legal representatives/families received information related to laws and protections from abuse, neglect and exploitation initially upon enrollment or annually. (Numerator = # of participants in compliance; Denominator = # of participants reviewed)</u></b>		
<b><u>Data Source (Select one) (Several options are listed in the on-line application): Record reviews on-site</u></b>			
<b><u>If 'Other' is selected, specify: Participant Interviews</u></b>			
<b><u>Participant Records</u></b>			
<b><u>Participant Interviews</u></b>			
<b><u>Participant Records</u></b>			
	<b><u>Responsible Party for data collection/generation (check each that applies)</u></b>	<b><u>Frequency of data collection/generation: (check each that applies)</u></b>	<b><u>Sampling Approach (check each that applies)</u></b>
	<input checked="" type="checkbox"/> <u>State Medicaid Agency</u>	<input type="checkbox"/> <u>Weekly</u>	<input type="checkbox"/> <u>100% Review</u>
	<input checked="" type="checkbox"/> <u>Operating Agency</u>	<input type="checkbox"/> <u>Monthly</u>	<input checked="" type="checkbox"/> <u>Less than 100% Review</u>
	<input type="checkbox"/> <u>Sub-State Entity</u>	<input type="checkbox"/> <u>Quarterly</u>	<input checked="" type="checkbox"/> <u>Representative Sample; Confidence Interval = +/-5%</u>
	<input type="checkbox"/> <u>Other</u>	<input type="checkbox"/> <u>Annually</u>	
		<input type="checkbox"/> <u>Continuously and Ongoing</u>	<input type="checkbox"/> <u>Stratified: Describe Group:</u>
		<input checked="" type="checkbox"/> <u>Other</u>	
		<u>OA Continuously and Ongoing</u>	<input type="checkbox"/> <u>Other Specify:</u>
		<u>SMA: At a minimum every 5 years</u>	

### **Data Aggregation and Analysis**

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<u><b>Responsible Party for data aggregation and analysis</b></u> <u>(check each that applies)</u>	<u><b>Frequency of data aggregation and analysis:</b></u> <u>(check each that applies)</u>
<u>X State Medicaid Agency</u>	<u><input type="checkbox"/> Weekly</u>
<u>X Operating Agency</u>	<u><input type="checkbox"/> Monthly</u>
<u><input type="checkbox"/> Sub-State Entity</u>	<u><input type="checkbox"/> Quarterly</u>
<u><input type="checkbox"/> Other</u> <u>Specify:</u>	<u><input type="checkbox"/> Annually</u>
	<u><input type="checkbox"/> Continuously and Ongoing</u>
	<u>X Other</u> <u>Specify:</u>
	<u>OA Continuously and Ongoing</u> <u>SMA: At a minimum every five years</u>

**b. Sub-assurance:** *The State demonstrates that an incident management system is in place that effectively resolves those incidents and prevents further similar incidents to the extent possible.*

### Performance Measures

*For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.*

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	<b>Number and percentage of critical incident <u>trends where systemic intervention was implemented</u>,s and events in which the SMA was notified by DAAS per the “Protocol: Critical Incidents and Events Notification to SMA”. (Numerator = # of <u>trends where systemic intervention was implemented; incidents in compliance;</u> Denominator = total # of <u>critical incident trends</u>reportable incidents)</b>
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Record reviews, on-site If 'Other' is selected, specify: Participant Records Participant Interviews	
<b>Participant Records</b>	

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Participant Interviews			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		OA: Continuously and Ongoing SMA: At a minimum every 5 years	<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Continuously and Ongoing SMA: At a minimum every five years

<b>Performance Measure: #2</b>	<b>Number and percentage of incidents in which the Case Manager, when warranted, put effective safeguards and interventions in place that address the participant’s health and welfare needs and verifies</b>
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	<b>the effectiveness of interventions. (Numerator = # of instances where safeguards were implemented and reviewed; Denominator = total # instances requiring the review of safeguards following implementation)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Record Reviews, on-site			
If 'Other' is selected, specify: Participant Records Comprehensive Care Plans Participant Interviews			
<b>Participant Records</b> <b>Comprehensive Care Plans</b> <b>Participant Interviews</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		OA: Continuously and Ongoing SMA: At a minimum every 5 years	<input type="checkbox"/> Other Specify:

### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing

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	X Other Specify:
	OA: Continuously and Ongoing SMA: At a minimum every five years

**c. Sub-assurance: The state policies and procedures for the use or prohibition of restrictive interventions (including restraints and seclusion) are followed.**

### Performance Measures

**For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.**

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	Number and percentage of incidents <u>involving restrictive interventions (including restraints &amp; seclusion) that were reported, investigated and for which follow-up was completed as directed, identifying unauthorized use of restrictive interventions that were appropriately reported.</u> (Numerator = the # of incidents <u>reported, investigated and for which follow-up was completed; reviewed identifying the use of restrictive interventions which were appropriately reported;</u> Denominator = <del>total</del> # of incidents <u>involving restrictive interventions</u> ) <u>reviewed that identified the use of restrictive interventions</u> )		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Record reviews, on-site			
If 'Other' is selected, specify: Participant Records Participant Interviews			
<b>Participant Records</b> <b>Participant Interviews</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	x State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review

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	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
		OA: Continuously and Ongoing SMA: At a minimum every 5 years	<input type="checkbox"/> Other Specify:

### **Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Continuously and Ongoing SMA: At a minimum every five years

**d. Sub-assurance: The State establishes overall health care standards and monitors those standards based on the responsibility of the service provider as stated in the approved waiver.**

### **Performance Measures**

**For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.**

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section

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provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	<b>Number and percentage of participants that were provided with the Case Manager's phone number and the phone number for APS. (Numerator = # of participants provided with APS/CM contact information; Denominator = total # of participants reviewed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Record reviews on-site			
If 'Other' is selected, specify: Participant Interviews Participant Records			
<b>Participant Interviews</b> <b>Participant Records</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	X State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	X Operating Agency	<input type="checkbox"/> Monthly	X Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	X Representative Sample; Confidence Interval = +/- 5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other Specify:	
		OA Continuously and Ongoing SMA: At a minimum every 5 years	<input type="checkbox"/> Other Specify:

### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly

State:	
Effective Date	

<del><input type="checkbox"/> Other Specify:</del>	<del><input type="checkbox"/> Annually</del>
	<del><input type="checkbox"/> Continuously and Ongoing</del>
	<del><input checked="" type="checkbox"/> Other Specify:</del>
	<del>OA Continuously and Ongoing SMA: At a minimum every five years</del>

<b>Performance Measure: #2</b>	<b>Number and percentage of participants using the self-directed model for service delivery in a representative sample for which the Personal Attendant Service Emergency Back-up Form was completed and current. (Numerator = # of participants receiving PA SAS services with a back-up plan developed; Denominator = total # of participants receiving PA SAS services)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Record reviews, on-site			
If 'Other' is selected, specify: Emergency Back-up Form Participant Records			
<b>Emergency Back-up Form Participant Records</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<del><input checked="" type="checkbox"/> State Medicaid Agency</del>	<del><input type="checkbox"/> Weekly</del>	<del><input type="checkbox"/> 100% Review</del>
	<del><input checked="" type="checkbox"/> Operating Agency</del>	<del><input type="checkbox"/> Monthly</del>	<del><input checked="" type="checkbox"/> Less than 100% Review</del>
	<del><input type="checkbox"/> Sub-State Entity</del>	<del><input type="checkbox"/> Quarterly</del>	<del><input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/- 5%</del>
	<del><input type="checkbox"/> Other Specify:</del>	<del><input type="checkbox"/> Annually</del>	
		<del><input type="checkbox"/> Continuously and Ongoing</del>	<del><input type="checkbox"/> Stratified: Describe Group:</del>
		<del><input checked="" type="checkbox"/> Other Specify:</del>	
		<del>OA: Continuously and ongoing SMA: At minimum of 5 years</del>	<del><input type="checkbox"/> Other Specify:</del>

State:	
Effective Date	

### Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	-Other Specify:
	OA: Continuous and ongoing .SMA: At a minimum every 5 years

<b>Performance Measure: #3</b>	<b>Number and percentage of participants who have a functioning smoke detector, fire extinguisher and carbon monoxide detector in their place of residence as warranted. (Numerator = # of participants in compliance, or information to establish that safety devices were not required; Denominator = total # of participants reviewed)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Record reviews, on-site			
If 'Other' is selected, specify: DS-HC Supplement (Social Support information pg 4) Care Plan			
<b>MDS-HC Supplement (Social Support information pg 4) Care Plan</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other	

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		Specify:	
			<input type="checkbox"/> Other Specify:

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

Referrals are made to APS and/or law enforcement according to state law. Prevention strategies are developed and implemented, ~~if~~when warranted, when abuse, neglect and/or exploitation are reported. CM works closely with local APS workers to resolve issues. When a CM reports or becomes aware of a referral made to APS about an Aging waiver participant, the CM informs DAAS within 24 hours and documents the notification in the participant's record. DAAS has the capability to compare waiver participants' names with the APS database to determine if notification of abuse, neglect and/or exploitation of waiver participants has occurred. Upon request, DAAS has access to limited information included in the APS data base of reports that are supported by APS. DAAS reviews this information and, when warranted, provides the information to the AAA that is serving the participant for follow up. In addition, all other health and welfare needs are addressed and steps are taken to resolve concerns in a timely manner. This is documented in the participant's record.

The SMA and the OA follow the SMA Critical Incidents and Events Protocol to: 1) assure that appropriate actions have taken place when a critical incident or event occurs; and/or 2) in cases where appropriate safeguards were not in place, that an analysis is conducted and appropriate strategies have been implemented to safeguard participants. Within 24 hours or on the first business day after a critical incident or event has occurred to or by a participant, a representative from the Waiver Operating Agency will notify the SMA Quality Assurance representative via email, telephone or in person. After reviewing the information provided describing the critical incident/event, the SMA determines on a case-by-case basis if the incident or event requires an investigation. In cases where further investigation is required the operating agency completes the form "Critical Incident/Event Findings OA Report to SMA". The SMA reviews the information provided by the OA and determines if any additional information or action is required. A final report is developed which contains: 1) a summary describing the incident/event based on all evidence reviewed, including evidence provided by the Medicaid Fraud Control Unit, Licensing, log notes etc. 2) Remediation Activities, describing the remediation activities that were developed and implemented to address the incident/event, including changes to care plans and systemic changes implemented by the OA and/or provider. 3) SMA Findings and Recommendations including an assessment of the OA's response to the incident/event and the identification of any issues related to reporting protocols. The SMA notifies the OA representative when the critical incident/event has been resolved.

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The SMA conducts an annual review of each of the five waiver years. At a minimum, one comprehensive review will be conducted during this five year cycle. The comprehensive review will include reviewing a random sample of care plans, Level of Care, MDS-HC assessments and other required documentation from each AAA to be sure all items are compliant with all current policy, rules and regulations~~participant and provider interviews~~. The other annual reviews will be focused reviews. The criteria for the focused reviews will be determined from DAAS and SMA review findings as well as other issues that develop during the review year. The sample size for each review will be sufficient to provide a confidence level equal to 95~~80~~% and a confidence interval equal to 5.

**b. Methods for Remediation/Fixing Individual Problems**

- i. *Describe the State's method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.*

Individual issues identified by DAAS and the SMA that affect the health and welfare of individual participants are addressed immediately. Issues requiring immediate attention are addressed in a variety of ways. Depending on the circumstances of the individual case the interventions could include: contacting the OA, case management and/or direct care provider agencies requiring an immediate review and remediation of the issue, reporting the issue to APS and/or local law enforcement or the state's Medicaid Fraud Control Unit, the licensing authority or the survey/certification authority. To assure the issue has been addressed, entities assigned the responsibility of review and remediation are required to report back to the OA or SMA on the results of their interventions within designated time frames. A description of issues requiring immediate attention and outcomes are documented through the SMA final report. Issues that are less immediate are corrected within designated time frames and are documented through the SMA final review report. When the SMA determines that an issue is resolved, notification is provided and documentation is maintained by the SMA.

**ii. Remediation Data Aggregation**

	<b>Responsible Party</b> ( <i>check each that applies</i> ):	<b>Frequency of data aggregation and analysis</b> ( <i>check each that applies</i> )
	<b>X State Medicaid Agency</b>	<input type="checkbox"/> Weekly
	<b>X Operating Agency</b>	<input type="checkbox"/> Monthly
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
		<input type="checkbox"/> Continuously and Ongoing
		<b>X Other</b>

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		Specify:
		OA: Continuously and ongoing SMA: At a minimum every five years.

**c. Timelines**

*When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Health and Welfare that are currently non-operational.*

<input checked="checked" type="radio"/>	No
<input type="radio"/>	Yes

Please provide a detailed strategy for assuring Health and Welfare, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

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## Appendix H: Quality Improvement Strategy

Under §1915(c) of the Social Security Act and 42 CFR §441.302, the approval of an HCBS waiver requires that CMS determine that the State has made satisfactory assurances concerning the protection of participant health and welfare, financial accountability and other elements of waiver operations. Renewal of an existing waiver is contingent upon review by CMS and a finding by CMS that the assurances have been met. By completing the HCBS waiver application, the State specifies how it has designed the waiver's critical processes, structures and operational features in order to meet these assurances.

- Quality Improvement is a critical operational feature that an organization employs to continually determine whether it operates in accordance with the approved design of its program, meets statutory and regulatory assurances and requirements, achieves desired outcomes, and identifies opportunities for improvement.

CMS recognizes that a state's waiver Quality Improvement Strategy may vary depending on the nature of the waiver target population, the services offered, and the waiver's relationship to other public programs, and will extend beyond regulatory requirements. However, for the purpose of this application, the State is expected to have, at the minimum, systems in place to measure and improve its own performance in meeting six specific waiver assurances and requirements.

It may be more efficient and effective for a Quality Improvement Strategy to span multiple waivers and other long-term care services. CMS recognizes the value of this approach and will ask the state to identify other waiver programs and long-term care services that are addressed in the Quality Improvement Strategy.

### Quality Improvement Strategy: Minimum Components

The Quality Improvement Strategy that will be in effect during the period of the approved waiver is described throughout the waiver in the appendices corresponding to the statutory assurances and sub-assurances. Other documents cited must be available to CMS upon request through the Medicaid agency or the operating agency (if appropriate).

In the QIS discovery and remediation sections throughout the application (located in Appendices A, B, C, D, G, and I), a state spells out:

- The evidence based discovery activities that will be conducted for each of the six major waiver assurances;
- The remediation activities followed to correct individual problems identified in the implementation of each of the assurances;

In Appendix H of the application, a State describes (1) the *system improvement* activities followed in response to aggregated, analyzed discovery and remediation information collected on each of the assurances; (2) the correspondent *roles/responsibilities* of those conducting assessing and prioritizing improving system corrections and improvements; and (3) the processes the state will follow to continuously *assess the effectiveness of the QIS* and revise it as necessary and appropriate.

If the State's Quality Improvement Strategy is not fully developed at the time the waiver application is submitted, the state may provide a work plan to fully develop its Quality Improvement Strategy, including the specific tasks the State plans to undertake during the period the waiver is in effect, the major milestones associated with these tasks, and the entity (or entities) responsible for the completion of these tasks.

When the Quality Improvement Strategy spans more than one waiver and/or other types of long-term care services under the Medicaid State plan, specify the control numbers for the other waiver programs and/or identify the other long-term services that are addressed in the Quality Improvement Strategy. In instances when

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## Appendix H: Quality Improvement Strategy

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the QMS spans more than one waiver, the State must be able to stratify information that is related to each approved waiver program. Unless the State has requested and received approval from CMS for the consolidation of multiple waivers for the purpose of reporting, then the State must stratify information that is related to each approved waiver program, i.e., employ a representative sample for each waiver.

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## H.1 Systems Improvement

### a. System Improvements

- i. Describe the process(es) for trending, prioritizing and implementing system improvements (i.e., design changes) prompted as a result of an analysis of discovery and remediation information.

Trending is accomplished as part of the SMA annual waiver review for each performance measure that is assessed that year. Graphs display the percentage of how well the performance measures are met for each fiscal year. Graphs from the previous years are presented side by side with the current year's results, thus allowing for tracking and trending of performance measures. After a three-year cycle of reviews (and annually thereafter), the performance measures will be analyzed to determine if, over time, a negative trend has occurred and if a systems improvement will address the problem. System improvement initiatives may be prioritized based on several factors including the health and welfare of participants, financial considerations, the intensity of the problem and the other performance measures relating to the assurance being evaluated.

- ii. System Improvement Activities

<b>Responsible Party</b> ( <i>check each that applies</i> ):	<b>Frequency of monitoring and analysis</b> ( <i>check each that applies</i> ):
<input checked="" type="checkbox"/> <b>State Medicaid Agency</b>	<input type="checkbox"/> <b>Weekly</b>
<input checked="" type="checkbox"/> <b>Operating Agency</b>	<input type="checkbox"/> <b>Monthly</b>
<input type="checkbox"/> <b>Sub-State Entity</b>	<input type="checkbox"/> <b>Quarterly</b>
<input checked="" type="checkbox"/> <b>Quality Improvement Committee</b>	<input type="checkbox"/> <b>Annually</b>
<input type="checkbox"/> <b>Other</b> Specify:	<input checked="" type="checkbox"/> <b>Other</b> Specify:
	<i>Third year of waiver operation</i>

### b. System Design Changes

- i. Describe the process for monitoring and analyzing the effectiveness of system design changes. Include a description of the various roles and responsibilities involved in the processes for monitoring & assessing system design changes. If applicable, include the State's targeted standards for systems improvement.

The SMA will establish a Quality Improvement Committee consisting of the SMA Quality Assurance Team, the DAAS Aging Wwaiver program manager, and other DAAS team members, among others. The team will meet to assess the results of the systems design changes. The success of the systems changes will be based on criteria that must be met to determine that the change has been accomplished and also criteria that will determine that the systems change has been sustained or will be sustained. The Quality Improvement Committee will determine the sustainability criteria. Results of system design changes will be communicated to

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participants and families, providers, agencies and others through the Medicaid Information Bulletin.

- ii. Describe the process to periodically evaluate, as appropriate, the Quality Improvement Strategy.

The Quality Improvement Strategy is a dynamic document that is continuously evaluated each year by the SMA's quality management team. The team evaluates the data collection process and makes changes as necessary to allow for accurate data collection and analysis. In addition, the Quality Improvement Committee will evaluate the QIS after the third year of the waiver operation. This committee will meet to discuss the elements of the QIS for each assurance, the findings relative to each performance measure and the contributions of all parties that conduct quality assurance of the Aging waiver. Improvements to the QIS will be made at this time and submitted in the following waiver renewal application.

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## Appendix I: Financial Accountability

### APPENDIX I-1: Financial Integrity and Accountability

**Financial Integrity.** Describe the methods that are employed to ensure the integrity of payments that have been made for waiver services, including: (a) requirements concerning the independent audit of provider agencies; (b) the financial audit program that the state conducts to ensure the integrity of provider billings for Medicaid payment of waiver services, including the methods, scope and frequency of audits; and, (c) the agency (or agencies) responsible for conducting the financial audit program. State laws, regulations, and policies referenced in the description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

The SMA will assure financial accountability for funds expended for home and community-based services, provide for an independent audit of its waiver program (except as CMS may otherwise specify for particular waivers), and it will maintain and make available to HHS, the Comptroller General, or other designees, appropriate financial records documenting the cost of services provided under the waiver, including reports of any independent audits conducted.

The State conducts a single audit in conformance with the Single Audit Act of 1984, Public Law 98-502. The State Auditor's Office is responsible for conducting the independent Single State Audit.

The Financial Audit Division is responsible for auditing all State departments, agencies and colleges and universities. Both State funds and federal grants are audited. These audits are conducted in accordance with generally accepted auditing standards, Government Auditing Standards, and the Single Audit Act to determine the reliability of financial statements, the effectiveness and adequacy of internal controls, and the degree of compliance with legal and contractual requirements.

The Performance Audit Division is responsible for performance audits of local governments and State departments, agencies, and institutions. These audits are conducted in accordance with Government Auditing Standards to determine whether agencies and programs are effective, efficient, and in compliance with laws, established best practices, and industry/professional standards.

Every year the audit focuses on different aspects and areas of government so the scope and frequency vary.

Post-payment reviews are conducted by the SMA reviewing a sample of individual written care plans and Medicaid claims histories to ensure: (1) all of the services required by the individual are identified in the care plan, (2) that the individual is receiving the services identified in the care plan, and (3) that Medicaid reimbursement is not claimed for waiver services which were not included in the care plan.

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## Quality Improvement: Financial Accountability

*As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.*

### a. **Methods for Discovery: Financial Accountability Assurance**

***The State must demonstrate that it has designed and implemented an adequate system for ensuring financial accountability of the waiver program. (For waiver actions submitted before June 1, 2014, this assurance read "State financial oversight exists to assure that claims are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver.")***

#### ***i. Sub-assurances:***

***a. Sub-assurance: The State provides evidence that claims are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver and only for services rendered. (Performance measures in this sub-assurance include all Appendix I performance measures for waiver actions submitted before June 1, 2014.)***

#### ***a.i. Performance Measures***

***For each performance measure the State will use to assess compliance with the statutory assurance complete the following. Where possible, include numerator/denominator.***

***For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.***

<b>Performance Measure: #1</b>	<b>The number and percentage of claims, which paid for services that do not exceed the amount, frequency and duration identified on a participant's Comprehensive Care Plan. (Numerator = # of claims paid in compliance; Denominator = total # of claims paid)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other			
If 'Other' is selected, specify: Care Plans and Claims data			
<b>Care Plans Claims Data</b>			
	<b>Responsible Party for data collection/generation</b>	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)

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	(check each that applies)		
	X State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	X Operating Agency	<input type="checkbox"/> Monthly	X Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	X Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		X Other Specify:	
		OA: Continuously and Ongoing SMA: At a minimum every 5 years	<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	X Other Specify:
	At a minimum of every 5 years

<b>Performance Measure: #2</b>	<b>Number and percentage of direct service claims corresponding to individuals in a representative sample which paid for services when the individual did not have an inpatient stay. N = total number of claims paid while not inpatient; D = total number of claims for individuals in the representative sample.</b>
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Other	
If 'Other' is selected, specify: Claims Data	
<b>Care Plans</b>	

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Claims Data			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval =
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
			<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Continuously and Ongoing SMA: At a minimum every 5 years

- b. Sub-assurance: The State provides evidence that rates remain consistent with the approved rate methodology throughout the five year waiver cycle.**

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**For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.**

<b>Performance Measure: #3</b>	<b>The number and percentage of claims paid with the correct unit type, HCPCS code and reimbursement rate in accordance with the reimbursement methodology specified in the waiver. N = # of claims paid with correct unit type, HCPCS code and reimbursement rate; D = total number of claims reviewed.</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): <i>Other</i>			
If 'Other' is selected, specify: <i>Care Plans and Claims data</i>			
<b>Care Plans</b>			
<b>Claims Data</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/-5%
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input checked="" type="checkbox"/> Other Specify:	
			<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing

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	<i>X Other</i> <i>Specify:</i>
	<i>A OA: Continuously and Ongoing</i> <i>SMA: At a minimum every 5 years</i>

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

<b>Performance Measure: #1</b>	<b>Number and percentage of participant claims in a representative sample that paid for services using the correct HCPCS as identified on the comprehensive care plan. (Numerator = # of claims in compliance; Denominator = total # of paid claims)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Record reviews, on-site			
If 'Other' is selected, specify: Care plan and Claims Data			
<b>Care Plans</b>			
<b>Claims Data</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	<i>X State Medicaid Agency</i>	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<i>X Operating Agency</i>	<input type="checkbox"/> Monthly	<i>X Less than 100% Review</i>
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<i>X Representative Sample; Confidence Interval = +/-5%</i>
	<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	
		<i>Continuous and ongoing</i>	<input type="checkbox"/> Stratified: Describe Group:
		<i>X Other: Specify Continuous and Ongoing At a minimum of every 5 years</i>	
			<input type="checkbox"/> Other Specify:

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**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
X State Medicaid Agency	<input type="checkbox"/> Weekly
X Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	X Other Specify:
	OA: Annually SMA: At a minimum every 5 years

<b>Performance Measure:#2</b>	<b>Number and percentage of maximum allowable rates (MARs) for covered waiver services which are consistent with the approved rate methodology of recoveries in a representative sample that are returned to the federal government in accordance with federal regulations. (Numerator = total number of MARs which are consistent with the approved rate methodology# of claims returned; Denominator = total # of MARs for covered waiver servicesclaims requiring return)</b>		
<b>Data Source</b> (Select one) (Several options are listed in the on-line application): Record reviews, on-site			
If 'Other' is selected, specify: Claims Data SMA QA Review CMS 64 Report			
<b>Claims Data SMA QA Review CMS 64 Report</b>			
	<b>Responsible Party for data collection/generation</b> (check each that applies)	<b>Frequency of data collection/generation:</b> (check each that applies)	<b>Sampling Approach</b> (check each that applies)
	X State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review

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	<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/- 5%
	<input type="checkbox"/> Other Specify:	<input checked="" type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
			<input type="checkbox"/> Other Specify:

## Data Aggregation and Analysis

<b>Responsible Party for data aggregation and analysis</b> (check each that applies)	<b>Frequency of data aggregation and analysis:</b> (check each that applies)
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify:

**Performance Measure:#3**

**Number and percentage of care plans in which State plan services and other resources for which the individual is eligible, are exhausted prior to authorizing the same service offered through the waiver. (Numerator = # of care plans in compliance; Denominator = total # of care plans reviewed) Number and percentage of claims paid at the rate consistent with the approved waiver. (N = number of claims paid at the rate consistent with the approved waiver; D = total number of claims reviewed)**

**Data Source** (Select one) (Several options are listed in the on-line application): Other

If 'Other' is selected, specify: Claims Data

**Claims Data  
SMA QA Review  
CMS 64 Report**

	<b>Responsible Party for data collection/generation</b>	<b>Frequency of data collection/generation:</b>	<b>Sampling Approach</b> (check each that applies)
--	---	---	---

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	<i>(check each that applies)</i>	<i>(check each that applies)</i>	
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
	<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
	<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample; Confidence Interval = +/- 5%
	<input type="checkbox"/> Other Specify:	<input checked="" type="checkbox"/> Annually	
		<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Stratified: Describe Group:
		<input type="checkbox"/> Other Specify:	
			<input type="checkbox"/> Other Specify:

**Data Aggregation and Analysis**

<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies)</i>	<b>Frequency of data aggregation and analysis:</b> <i>(check each that applies)</i>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input checked="" type="checkbox"/> Other Specify:
	OA: Continuously and Ongoing SMA: At a minimum every 5 years

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

Each AAA reviews and compares monthly billings from providers with the care plans to assure that the providers have billed only for services that have been authorized and that the ~~rate and~~ code(s) billed ~~are~~ correct. Annually, the DAAS financial auditor reviews a representative sample of billings from each of the AAA and compares the billing information with paid claims data.

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The SMA conducts an annual review of the Aging waiver program for each of the five waiver years. At a minimum, one comprehensive review will be conducted during this five year cycle. The other annual reviews will be focused reviews. The criteria for the focused reviews will be determined from DAAS and SMA review findings as well as other issues that develop during the review year. The sample size for each review will be sufficient to provide a confidence level equal to 80~~95~~% and a confidence interval equal to 5.

**b. Methods for Remediation/Fixing Individual Problems**

- i. Describe the State's method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.*

**Recoupment of Funds:**

- When payments are made for a service not identified on the Comprehensive Care Plan: a recoupment of unauthorized paid claims will be required.
- When the amount of payments exceeds the amount, frequency, and/or duration identified on the Comprehensive Care Plan: a recoupment of unauthorized paid claims will be required.
- When payments are made for services based on a coding error: The coding error will be corrected by withdrawing the submission of the claim and submitting the correct code for payment.

When DAAS discovers that unauthorized claims have been paid, DAAS works with ~~Medicaid Operation and~~ Medicaid Operations to reprocess the MMIS claims to reflect the recoupment. DAAS will notify the SMA of the recoupment.

When the SMA discovers that unauthorized claims have been paid, the recoupment of funds will proceed as follows:

1. The SMA will complete a Recoupment of Funds Form that indicates in detail, the amount of the recoupment and send it to the OA.
2. The OA will review the Recoupment of funds form and return the signed form to the SMA.
3. Upon receipt of the Recoupment of Funds Form, the SMA will submit the Recoupment of Funds Form to Medicaid Operations.
4. Medicaid Operations will reprocess the MMIS claims to reflect the recoupment.
5. Overpayments are returned to the Federal Government within 60 days of discovery.

**ii. Remediation Data Aggregation**

<b><i>Remediation-related Data Aggregation and Analysis (including trend identification)</i></b>	<b><i>Responsible Party (check each that applies)</i></b>	<b><i>Frequency of data aggregation and analysis: (check each that applies)</i></b>
	<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly

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**Appendix I: Financial Accountability**  
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	<input checked="" type="checkbox"/> <b>Operating Agency</b>	<input type="checkbox"/> <b>Monthly</b>
	<input type="checkbox"/> <b>Sub-State Entity</b>	<input type="checkbox"/> <b>Quarterly</b>
	<input type="checkbox"/> <b>Other</b> Specify:	<input type="checkbox"/> <b>Annually</b>
		<input type="checkbox"/> <b>Continuously and Ongoing</b>
		<input checked="" type="checkbox"/> <b>Other</b> Specify:
		<i>OA: Annually SMA: At a minimum every 5 years</i>

**c. Timelines**

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Financial Accountability that are currently non-operational.

<input checked="" type="radio"/>	<b>No</b>
<input type="radio"/>	<b>Yes</b>

Please provide a detailed strategy for assuring Financial Accountability, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

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## APPENDIX I-2: Rates, Billing and Claims

- a. Rate Determination Methods.** In two pages or less, describe the methods that are employed to establish provider payment rates for waiver services and the entity or entities that are responsible for rate determination. Indicate any opportunity for public comment in the process. If different methods are employed for various types of services, the description may group services for which the same method is employed. State laws, regulations, and policies referenced in the description are available upon request to CMS through the Medicaid agency or the operating agency (if applicable).

Waiver rates are established by the State Medicaid Agency. Opportunity for public comment of the rates is available during the application renewal or amendment process. Information about payment rates will be communicated to all interested parties through the use of provider bulletins and letters, annual public notices and annual waiver trainings.

The State uses the following methodology to establish rates paid under the Aging Waiver program:

The following services pay the same rate as Attendant Care under the State Plan:

- Adult Companion Services
- Personal Budget Assistance

The following services pay the same rate as Personal Care under the State Plan:

- Homemaker
- Personal Attendant Services - Agency
- Personal Attendant Training Services
- Respite (Unskilled)

The following services pay the same rate as Home Health Aides under the State Plan:

- Enhanced State Plan Supportive Maintenance Home Health Aide Services

The following services pay the same rate as Private Duty Nursing under the State Plan:

- Respite (Skilled)

The following services pay the invoiced/market rate:

- Chore Service
- Community Transition Service
- Environmental Accessibility Adaptations
- Medication Reminder System
- Personal Emergency Response Systems
- Specialized Medical Equipment/Supplies/Assistive Technology
- Supplemental Meals - Home

Comparable services provided in other waivers are used to establish the following rates:

- Adult Day Health – Uses FY2020 ‘Day Support – Individual’ rate paid in Community Supports (UT.0158)

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-Financial Management Services - Uses FY2020 rate paid in Community Supports (UT.0158)

Other Services:

-Respite – LTC Facility – Uses the State’s Nursing Facility Weighted Average calculated at the start of Calendar Year 2020

-Transportation (non-medical) – Uses current IRS rate of \$0.575 center per mile for an encounter of 26 miles

-Case Management: Pays 124% of the State’s Targeted Case Management rate

-Personal Attendant Services – Participant Directed: Pays 71.4% of State Plan Personal Care Rate in accordance with BLS rates for industry wages

~~Adult Day Health, Adult Companion Services, Case Management, Enhanced State Plan Supportive Maintenance Home Health Aide Services, Financial Services, Financial Management, Homemaker, Medication Reminder Systems, Personal Attendant Services, Personal Attendant Program Training, Personal Emergency Response System, Respite Care, Supplemental Meals, Transportation Services are reimbursed on a fee for service basis. Payment is based on a statewide fee schedule.~~

~~The rates for Transition Services, Specialized Medical Equipment and Supplies, Environmental Accessibility Adaptations and Chore Services are negotiated by the operating agency on behalf of the Single State Agency. Allowable expenditures are based on the individual participant need and are not to exceed the service limits.~~

~~Below is a list of the services and the rate information:~~

~~In 2015, an interstate comparison was performed on the following rates:~~

~~Adult Day Health~~

~~Homemaker Services~~

~~Supplemental Meals~~

~~Case Management Service~~

~~Chore Services~~

~~Adult Companion Services~~

~~Financial Management Services~~

~~Respite Care~~

~~Personal Attendant Services~~

~~Transportation Services (Non-medical)~~

~~Personal Budget Assistance~~

~~Personal Emergency Response System~~

~~In 2015, the following services were reviewed against other HCBS waiver or State Plan services:~~

~~Supportive Maintenance~~

~~Personal Attendant Program Training~~

~~Medication Reminder Systems~~

~~The following services are paid using the actual cost of the service:~~

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~~Transition Services~~  
~~Specialized Medical Equipment and Supplies~~  
~~Environmental Accessibility Adaptations~~  
~~Chore Services~~

~~Rates can be adjusted based on legislative appropriations.~~

~~The State agrees that by the end of calendar year 2017, it will complete a review and provide detail of our rate setting methodology using current data from 2012 or later.~~

- b. **Flow of Billings.** Describe the flow of billings for waiver services, specifying whether provider billings flow directly from providers to the State's claims payment system or whether billings are routed through other intermediary entities. If billings flow through other intermediary entities, specify the entities:

Waiver services providers submit claims directly to the SMA via the State Medicaid MMIS system, the SMA then pays the waiver service provider directly.

For individuals participating in the self-directed services delivery method, the participant submits their staff time sheet(s) to the FMS Agency<sup>cyt</sup>. The FMS Agency<sup>cyt</sup> pays the claim(s) and submits a bill to the SMA. The SMA reimburses the FMS Agency.

- c. **Certifying Public Expenditures** (*select one*):

<input checked="" type="radio"/>	<b>No. State or local government agencies do not certify expenditures for waiver services.</b>
<input type="radio"/>	<b>Yes. State or local government agencies directly expend funds for part or all of the cost of waiver services and certify their State government expenditures (CPE) in lieu of billing that amount to Medicaid.</b> <i>Select at least one:</i>
<input type="checkbox"/>	<b>Certified Public Expenditures (CPE) of State Public Agencies.</b> Specify: (a) the State government agency or agencies that certify public expenditures for waiver services; (b) how it is assured that the CPE is based on the total computable costs for waiver services; and, (c) how the State verifies that the certified public expenditures are eligible for Federal financial participation in accordance with 42 CFR §433.51(b). <i>(Indicate source of revenue for CPEs in Item I-4-a.)</i>
<input type="checkbox"/>	<b>Certified Public Expenditures (CPE) of Local Government Agencies.</b> Specify: (a) the local government agencies that incur certified public expenditures for waiver services; (b) how it is assured that the CPE is based on total computable costs for waiver services; and, (c) how the State verifies that the certified public expenditures are eligible for Federal financial participation in accordance with 42 CFR §433.51(b). <i>(Indicate source of revenue for CPEs in Item I-4-b.)</i>

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**d. Billing Validation Process.** Describe the process for validating provider billings to produce the claim for federal financial participation, including the mechanism(s) to assure that all claims for payment are made only: (a) when the individual was eligible for Medicaid waiver payment on the date of service; (b) when the service was included in the participant's approved service plan; and, (c) the services were provided:

#### **DESCRIPTION OF BILLING PROCESS AND RECORDS RETENTION**

1. An individual's Medicaid eligibility is determined by the Office of Health and Eligibility within the Department of Workforce Services or the Bureau of Eligibility Services within the Department of Health. The information is entered into the EREP (Electronic Resource and Eligibility Product). EREP is an on-line, menu-driven system which automates Medicaid eligibility decisions, benefits amounts, individual notices and administrative reports. EREP interfaces with other governmental agencies such as, Social Security, Employment Security, and the Internal Revenue Service. The system is a Federally-Approved Management Information System (FAMIS). In Utah, the following programs are accessed through EREP: Aid to Families with Dependent Children (AFDC), Medicaid, Food Stamps, and two state-administered programs - General Assistance and the Utah Primary Care Network (PCN). The Medicaid Management Information System (MMIS) accesses EREP to ensure the individual is Medicaid eligible before payment of claims is made.

2. Post-payment reviews are conducted in accordance with the procedures outlined in Appendix E-2. The Medicaid agency reviews a sample of individual written care plans and Medicaid claims histories to ensure: (1) all of the services required by the individual are identified in the care plan, (2) that the individual is receiving the services identified in the care plan, and (3) that Medicaid reimbursement is not claimed for waiver services which were not included in the care plan.

Area Agencies on Aging also compare their billings against the service plans of their participants and Case Managers verify the quality and delivery of services with the participants.

3. Prior to the order and delivery of Medicaid reimbursed approved specialized medical equipment, medical supplies or assistive technology, the Case Manager must obtain prior approval from the AAA based on a determination of medical necessity and a determination that the item is not available as a Medicaid State Plan service.

4. The participant-directed model for the Personal Attendant Service requires the individual to use a Waiver Financial Management Agency as an integral component of the waiver service to assist with managing the employer-related financial responsibilities associated with the self-

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directed employee model. The Waiver Financial Management Agency is a person or organization that assists waiver participants and their representatives, when appropriate, in performing a number of employer-related tasks, without being considered the common law employer of the waiver participant's Personal Attendant(s) (PA). Tasks performed by the Waiver Financial Management Agency include documenting PA qualifications, collecting PA time records, preparing payroll for waiver participant's PA, and withholding, filing and depositing federal, state, and local employment taxes.

The participant-directed PA will complete a time sheet for work performed. The participant or their personal representative confirms the accuracy of the time sheet, signs it, and forwards it to the Waiver Financial Management Agency for processing. The Waiver Financial Management Agency files a claim for reimbursement on behalf of the Personal Attendant~~service worker~~ through the Medicaid MMIS system. Upon receipt of payment the Waiver Financial management agent completes the employer related responsibilities and forwards payment directly to the PA for the services documented on the time sheet.

- e. **Billing and Claims Record Maintenance Requirement.** Records documenting the audit trail of adjudicated claims (including supporting documentation) are maintained by the Medicaid agency, the operating agency (if applicable), and providers of waiver services for a minimum period of 3 years as required in 45 CFR § 92.42.

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## APPENDIX I-3: Payment

**a. Method of payments — MMIS** (*select one*):

<input checked="" type="checkbox"/>	<b>Payments for all waiver services are made through an approved Medicaid Management Information System (MMIS).</b>
<input type="checkbox"/>	<b>Payments for some, but not all, waiver services are made through an approved MMIS.</b> Specify: (a) the waiver services that are not paid through an approved MMIS; (b) the process for making such payments and the entity that processes payments; (c) how an audit trail is maintained for all state and federal funds expended outside the MMIS; and, (d) the basis for the draw of federal funds and claiming of these expenditures on the CMS-64.
<input type="checkbox"/>	<b>Payments for waiver services are not made through an approved MMIS.</b> Specify: (a) the process by which payments are made and the entity that processes payments; (b) how and through which system(s) the payments are processed; (c) how an audit trail is maintained for all state and federal funds expended outside the MMIS; and, (d) the basis for the draw of federal funds and claiming of these expenditures on the CMS-64:
<input type="checkbox"/>	<b>Payments for waiver services are made by a managed care entity or entities. The managed care entity is paid a monthly capitated payment per eligible enrollee through an approved MMIS.</b> Describe how payments are made to the managed care entity or entities:

**b. Direct payment.** In addition to providing that the Medicaid agency makes payments directly to providers of waiver services, payments for waiver services are made utilizing one or more of the following arrangements (*select at least one*):

<input checked="" type="checkbox"/>	<b>The Medicaid agency makes payments directly and does not use a fiscal agent (comprehensive or limited) or a managed care entity or entities.</b>
<input type="checkbox"/>	<b>The Medicaid agency pays providers through the same fiscal agent used for the rest of the Medicaid program.</b>
<input type="checkbox"/>	<b>The Medicaid agency pays providers of some or all waiver services through the use of a limited fiscal agent.</b> Specify the limited fiscal agent, the waiver services for which the limited fiscal agent makes payment, the functions that the limited fiscal agent performs in paying waiver claims, and the methods by which the Medicaid agency oversees the operations of the limited fiscal agent:
<input type="checkbox"/>	<b>Providers are paid by a managed care entity or entities for services that are included in the State's contract with the entity.</b> Specify how providers are paid for the services (if any) not included in the State's contract with managed care entities.

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- c. **Supplemental or Enhanced Payments.** Section 1902(a)(30) requires that payments for services be consistent with efficiency, economy, and quality of care. Section 1903(a)(1) provides for Federal financial participation to States for expenditures for services under an approved State plan/waiver. Specify whether supplemental or enhanced payments are made. *Select one:*

<input checked="" type="radio"/>	<b>No. The State does not make supplemental or enhanced payments for waiver services.</b>
<input type="radio"/>	<b>Yes. The State makes supplemental or enhanced payments for waiver services.</b> Describe: (a) the nature of the supplemental or enhanced payments that are made and the waiver services for which these payments are made; (b) the types of providers to which such payments are made; (c) the source of the non-Federal share of the supplemental or enhanced payment; and, (d) whether providers eligible to receive the supplemental or enhanced payment retain 100% of the total computable expenditure claimed by the State to CMS. Upon request, the State will furnish CMS with detailed information about the total amount of supplemental or enhanced payments to each provider type in the waiver.

- d. **Payments to State or Local Government Providers.** *Specify whether State or local government providers receive payment for the provision of waiver services.*

<input type="radio"/>	<b>No. State or local government providers do not receive payment for waiver services.</b> <i>Do not complete Item I-3-e.</i>
<input checked="" type="radio"/>	<b>Yes. State or local government providers receive payment for waiver services.</b> <i>Complete item I-3-e.</i> Specify the types of State or local government providers that receive payment for waiver services and the services that the State or local government providers furnish. <i>Complete item I-3-e.</i>
	Area Agencies on Aging receive payments for Case Management

- e. **Amount of Payment to State or Local Government Providers.**

Specify whether any State or local government provider receives payments (including regular and any supplemental payments) that in the aggregate exceed its reasonable costs of providing waiver services and, if so, whether and how the State recoups the excess and returns the Federal share of the excess to CMS on the quarterly expenditure report. *Select one:*

<input checked="" type="radio"/>	<b>The amount paid to State or local government providers is the same as the amount paid to private providers of the same service.</b>
<input type="radio"/>	<b>The amount paid to State or local government providers differs from the amount paid to private providers of the same service. No public provider receives payments that in the aggregate exceed its reasonable costs of providing waiver services.</b>

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○	<p><b>The amount paid to State or local government providers differs from the amount paid to private providers of the same service. When a State or local government provider receives payments (including regular and any supplemental payments) that in the aggregate exceed the cost of waiver services, the State recoups the excess and returns the federal share of the excess to CMS on the quarterly expenditure report.</b></p> <p>Describe the recoupment process:</p>

- f. **Provider Retention of Payments.** Section 1903(a)(1) provides that Federal matching funds are only available for expenditures made by states for services under the approved waiver. *Select one:*

X	<p><b>Providers receive and retain 100 percent of the amount claimed to CMS for waiver services.</b></p>
○	<p><b>Providers are paid by a managed care entity (or entities) that are paid a monthly capitated payment.</b></p> <p>Specify whether the monthly capitated payment to managed care entities is reduced or returned in part to the State.</p>

- g. **Additional Payment Arrangements**

- i. **Voluntary Reassignment of Payments to a Governmental Agency.** *Select one:*

○	<p><b>No. The State does not provide that providers may voluntarily reassign their right to direct payments to a governmental agency.</b></p>
X	<p><b>Yes. Providers may voluntarily reassign their right to direct payments to a governmental agency as provided in 42 CFR §447.10(e).</b></p> <p>Specify the governmental agency (or agencies) to which reassignment may be made.</p>

- ii. **Organized Health Care Delivery System.** *Select one:*

X	<p><b>No. The State does not employ Organized Health Care Delivery System (OHCDS) arrangements under the provisions of 42 CFR §447.10.</b></p>
○	<p><b>Yes. The waiver provides for the use of Organized Health Care Delivery System arrangements under the provisions of 42 CFR §447.10.</b></p> <p>Specify the following: (a) the entities that are designated as an OHCDS and how these entities qualify for designation as an OHCDS; (b) the procedures for direct provider enrollment when a provider does not voluntarily agree to contract with a designated OHCDS; (c) the method(s) for assuring that participants have free choice of qualified providers when an OHCDS arrangement is employed, including the selection of providers not affiliated with the OHCDS; (d) the method(s) for assuring that providers that furnish services under contract with an OHCDS meet applicable provider qualifications under the waiver; (e) how it is assured that OHCDS contracts with providers meet applicable requirements; and, (f) how financial accountability is assured when an OHCDS arrangement is used:</p>

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iii. **Contracts with MCOs, PIHPs or PAHPs.** *Select one:*

<input checked="" type="radio"/>	<b>The State does not contract with MCOs, PIHPs or PAHPs for the provision of waiver services.</b>
<input type="radio"/>	<p><b>The State contracts with a Managed Care Organization(s) (MCOs) and/or prepaid inpatient health plan(s) (PIHP) or prepaid ambulatory health plan(s) (PAHP) under the provisions of §1915(a)(1) of the Act for the delivery of waiver and other services. Participants may voluntarily elect to receive waiver and other services through such MCOs or prepaid health plans. Contracts with these health plans are on file at the State Medicaid agency.</b></p> <p>Describe: (a) the MCOs and/or health plans that furnish services under the provisions of §1915(a)(1); (b) the geographic areas served by these plans; (c) the waiver and other services furnished by these plans; and (d) how payments are made to the health plans.</p>
<input type="radio"/>	<p><b>This waiver is a part of a concurrent §1915(b)/§1915(c) waiver. Participants are required to obtain waiver and other services through a MCO and/or prepaid inpatient health plan (PIHP) or a prepaid ambulatory health plan (PAHP). The §1915(b) waiver specifies the types of health plans that are used and how payments to these plans are made.</b></p>

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## APPENDIX I-4: Non-Federal Matching Funds

- a. **State Level Source(s) of the Non-Federal Share of Computable Waiver Costs.** Specify the State source or sources of the non-federal share of computable waiver costs. *Select at least one:*

<input type="checkbox"/>	<b>Appropriation of State Tax Revenues to the State Medicaid agency</b>
<input checked="" type="checkbox"/>	<p><b>Appropriation of State Tax Revenues to a State Agency other than the Medicaid Agency.</b></p> <p>If the source of the non-federal share is appropriations to another state agency (or agencies), specify: (a) the State entity or agency receiving appropriated funds and (b) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if the funds are directly expended by State agencies as CPEs, as indicated in Item I-2-c:</p> <p>The Division of Aging and Adult Services (DAAS) that resides within the Department of Human Services receives the appropriated <u>State</u> funds. DAAS <u>draws all expenditures (claims) that had been paid by the State Medicaid Agency (SMA) monthly to verify and record. Quarterly the SMA creates an transfers the funds to the SMA via an Inter-Agency Transaction (IAT) worksheet showing the total expenditures and the state match obligation that is required based on the FMAP rate. DAAS approves the transfer after verifying the amounts. Intergovernmental Transfer (IGT). This prepayment transfer is based actual claim expenditures paid by the SMA on estimates for the upcoming quarter and takes place before each new quarter. At the end of each quarter, the SMA and DAAS will perform a reconciliation of the actual state match obligation and the prepaid amount.</u></p>
<input type="checkbox"/>	<p><b>Other State Level Source(s) of Funds.</b></p> <p>Specify: (a) the source and nature of funds; (b) the entity or agency that receives the funds; and (c) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if funds are directly expended by State agencies as CPEs, as indicated in Item I-2-c:</p>

- b. **Local Government or Other Source(s) of the Non-Federal Share of Computable Waiver Costs.** Specify the source or sources of the non-federal share of computable waiver costs that are not from state sources. *Select one:*

<input checked="" type="radio"/>	<b>Not Applicable.</b> There are no local government level sources of funds utilized as the non-federal share.
<input type="radio"/>	<p><b>Applicable</b></p> <p><i>Check each that applies:</i></p>
<input type="checkbox"/>	<p><b>Appropriation of Local Government Revenues.</b></p> <p>Specify: (a) the local government entity or entities that have the authority to levy taxes or other revenues; (b) the source(s) of revenue; and, (c) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement (indicate any intervening entities in the transfer process), and/or, indicate if funds are directly expended by local government agencies as CPEs, as specified in Item I-2-c:</p>

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	<input type="checkbox"/>	<b>Other Local Government Level Source(s) of Funds.</b> Specify: (a) the source of funds; (b) the local government entity or agency receiving funds; and, (c) the mechanism that is used to transfer the funds to the State Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and /or, indicate if funds are directly expended by local government agencies as CPEs, as specified in Item I-2- c:

- c. **Information Concerning Certain Sources of Funds.** Indicate whether any of the funds listed in Items I-4-a or I-4-b that make up the non-federal share of computable waiver costs come from the following sources: (a) health care-related taxes or fees; (b) provider-related donations; and/or, (c) federal funds . *Select one:*

X	<b>None of the specified sources of funds contribute to the non-federal share of computable waiver costs.</b>
○	<b>The following source(s) are used.</b> <i>Check each that applies.</i>
	<input type="checkbox"/> <b>Health care-related taxes or fees</b>
	<input type="checkbox"/> <b>Provider-related donations</b>
	<input type="checkbox"/> <b>Federal funds</b>
	For each source of funds indicated above, describe the source of the funds in detail:

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## APPENDIX I-5: Exclusion of Medicaid Payment for Room and Board

**a. Services Furnished in Residential Settings.** *Select one:*

<input type="radio"/>	No services under this waiver are furnished in residential settings other than the private residence of the individual.
<input checked="" type="radio"/>	As specified in Appendix C, the State furnishes waiver services in residential settings other than the personal home of the individual.

**b. Method for Excluding the Cost of Room and Board Furnished in Residential Settings.** The following describes the methodology that the State uses to exclude Medicaid payment for room and board in residential settings:

The only waiver service furnished in a residential setting other than the personal home of the individual is Respite Care Services - LTC Facility. Federal Financial Participation (FFP) will not be claimed for the cost of room and board except when provided as part of respite care in a facility approved by the State that is not the participant's private residence.

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## APPENDIX I-6: Payment for Rent and Food Expenses of an Unrelated Live-In Caregiver

**Reimbursement for the Rent and Food Expenses of an Unrelated Live-In Personal Caregiver.**

*Select one:*

<input checked="" type="radio"/>	<b>No. The State does not reimburse for the rent and food expenses of an unrelated live-in personal caregiver who resides in the same household as the participant.</b>
<input type="radio"/>	<p><b>Yes. Per 42 CFR §441.310(a)(2)(ii), the State will claim FFP for the additional costs of rent and food that can be reasonably attributed to an unrelated live-in personal caregiver who resides in the same household as the waiver participant. The State describes its coverage of live-in caregiver in Appendix C-3 and the costs attributable to rent and food for the live-in caregiver are reflected separately in the computation of factor D (cost of waiver services) in Appendix J. FFP for rent and food for a live-in caregiver will not be claimed when the participant lives in the caregiver's home or in a residence that is owned or leased by the provider of Medicaid services.</b></p> <p>The following is an explanation of: (a) the method used to apportion the additional costs of rent and food attributable to the unrelated live-in personal caregiver that are incurred by the individual served on the waiver and (b) the method used to reimburse these costs:</p> <div style="border: 1px solid black; height: 50px; margin-top: 5px;"></div>

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## APPENDIX I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing

- a. **Co-Payment Requirements.** Specify whether the State imposes a co-payment or similar charge upon waiver participants for waiver services. These charges are calculated per service and have the effect of reducing the total computable claim for federal financial participation. *Select one:*

<input checked="" type="radio"/>	<b>No. The State does not impose a co-payment or similar charge upon participants for waiver services.</b> <i>(Do not complete the remaining items; proceed to Item I-7-b).</i>
<input type="radio"/>	<b>Yes. The State imposes a co-payment or similar charge upon participants for one or more waiver services.</b> <i>(Complete the remaining items)</i>

i. **Co-Pay Arrangement**

Specify the types of co-pay arrangements that are imposed on waiver participants *(check each that applies)*:

<i>Charges Associated with the Provision of Waiver Services (if any are checked, complete Items I-7-a-ii through I-7-a-iv):</i>	
<input type="checkbox"/>	Nominal deductible
<input type="checkbox"/>	Coinsurance
<input type="checkbox"/>	Co-Payment
<input type="checkbox"/>	Other charge
	<i>Specify:</i>

ii **Participants Subject to Co-pay Charges for Waiver Services.**

Specify the groups of waiver participants who are subject to charges for the waiver services specified in Item I-7-a-iii and the groups for whom such charges are excluded

--

- iii. **Amount of Co-Pay Charges for Waiver Services.** The following table lists the waiver services defined in C-1/C-3 for which a charge is made, the amount of the charge, and the basis for determining the charge.

Waiver Service	Charge	
	Amount	Basis

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**iv. Cumulative Maximum Charges.**

Indicate whether there is a cumulative maximum amount for all co-payment charges to a waiver participant (*select one*):

<input type="radio"/>	<b>There is no cumulative maximum for all deductible, coinsurance or co-payment charges to a waiver participant.</b>
<input type="radio"/>	<b>There is a cumulative maximum for all deductible, coinsurance or co-payment charges to a waiver participant.</b> Specify the cumulative maximum and the time period to which the maximum applies:

**b. Other State Requirement for Cost Sharing.** Specify whether the State imposes a premium, enrollment fee or similar cost sharing on waiver participants. *Select one*:

<input checked="" type="radio"/>	<b>No. The State does not impose a premium, enrollment fee, or similar cost-sharing arrangement on waiver participants.</b>
<input type="radio"/>	<b>Yes. The State imposes a premium, enrollment fee or similar cost-sharing arrangement.</b> Describe in detail the cost sharing arrangement, including: (a) the type of cost sharing (e.g., premium, enrollment fee); (b) the amount of charge and how the amount of the charge is related to total gross family income (c) the groups of participants subject to cost-sharing and the groups who are excluded; and (d) the mechanisms for the collection of cost-sharing and reporting the amount collected on the CMS 64:

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## Appendix J: Cost Neutrality Demonstration

### Appendix J-1: Composite Overview and Demonstration of Cost-Neutrality Formula

**Composite Overview.** Complete the fields in Cols. 3, 5 and 6 in the following table for each waiver year. The fields in Cols. 4, 7 and 8 are auto-calculated based on entries in Cols 3, 5, and 6. The fields in Col. 2 are auto-calculated using the Factor D data from the J-2d Estimate of Factor D tables. Col. 2 fields will be populated ONLY when the Estimate of Factor D tables in J-2d have been completed.

Level(s) of Care ( <i>specify</i> ):			Nursing Facility				
Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8
Year	Factor D	Factor D'	Total: D+D'	Factor G	Factor G'	Total: G+G'	Difference (Column 7 less Column 4)
1	<u>\$9,916.37</u>	<u>\$6,740.45</u>	<u>\$16,656.82</u>	<u>\$61,121.65</u>	<u>\$6,148.00</u>	<u>\$67,269.65</u>	<u>\$50,612.83</u>
2	<u>\$9,916.37</u>	<u>\$6,740.45</u>	<u>\$16,656.82</u>	<u>\$61,121.65</u>	<u>\$6,148.00</u>	<u>\$67,269.65</u>	<u>\$50,612.83</u>
3	<u>\$9,916.37</u>	<u>\$6,740.45</u>	<u>\$16,656.82</u>	<u>\$61,121.65</u>	<u>\$6,148.00</u>	<u>\$67,269.65</u>	<u>\$50,612.83</u>
4	<u>\$9,916.37</u>	<u>\$6,740.45</u>	<u>\$16,656.82</u>	<u>\$61,121.65</u>	<u>\$6,148.00</u>	<u>\$67,269.65</u>	<u>\$50,612.83</u>
5	<u>\$9,916.37</u>	<u>\$6,740.45</u>	<u>\$16,656.82</u>	<u>\$61,121.65</u>	<u>\$6,148.00</u>	<u>\$67,269.65</u>	<u>\$50,612.83</u>

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## Appendix J-2: Derivation of Estimates

- a. Number Of Unduplicated Participants Served.** Enter the total number of unduplicated participants from Item B-3-a who will be served each year that the waiver is in operation. When the waiver serves individuals under more than one level of care, specify the number of unduplicated participants for each level of care:

Table J-2-a: Unduplicated Participants			
Waiver Year	Total Unduplicated Number of Participants (from Item B-3-a)	Distribution of Unduplicated Participants by Level of Care (if applicable)	
		Level of Care:	Level of Care:
		<u>NF</u>	
Year 1	<u>550</u>	<u>550</u>	
Year 2	<u>550</u>	<u>550</u>	
Year 3	<u>550</u>	<u>550</u>	
Year 4 (only appears if applicable based on Item 1-C)	<u>550</u>	<u>550</u>	
Year 5 (only appears if applicable based on Item 1-C)	<u>550</u>	<u>550</u>	

- b. Average Length of Stay.** Describe the basis of the estimate of the average length of stay on the waiver by participants in Item J-2-a.

Average Length of Stay (LOS) = ~~298~~289 days  
 Used the average annual LOS count for fiscal years ~~2012-2014~~2017-2019

- c. Derivation of Estimates for Each Factor.** Provide a narrative description for the derivation of the estimates of the following factors.

- i. Factor D Derivation.** The estimates of Factor D for each waiver year are located in Item J-2-d. The basis for these estimates is as follows:

- All calculations are based off the actual amounts for FY201~~27~~49
- Unduplicated client counts were increased and the number of users was raised according to the percentage of change
- ~~- Price per unit was increased 1% for each subsequent year~~
- Units Per User is the average units per user for FY201~~27~~49 rounded to the next whole number
- Estimates may have had slight adjustments if trending data indicated that they may not be reflective of anticipated utilization

- ii. Factor D' Derivation.** The estimates of Factor D' for each waiver year are included in Item J-1. The basis of these estimates is as follows:

- All calculations are based off the actual amounts for FY201~~28~~49

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- ~~Average cost per enrollee was increased by 2% for each subsequent year~~
- The state utilizes the MMIS Categories of Service and Provider Type functionality to account for and exclude the costs of prescribed drugs from D'

iii.—**Factor G Derivation.** The estimates of Factor G for each waiver year are included in Item J-1. The basis of these estimates is as follows:

- Used actual average nursing home cost per day for fiscal years 201~~28~~-201~~49~~ and multiplied by actual ~~CSW-Aging~~ waiver LOS to get fiscal year 201~~52~~1 base estimate ~~and the increased by 2% to get Waiver year one (fiscal year 2016)~~
- ~~Each subsequent year was increased 2%~~

iv. **Factor G' Derivation.** The estimates of Factor G' for each waiver year are included in Item J-1. The basis of these estimates is as follows:

- Used actual average nursing home cost per day for fiscal years 201~~82~~-201~~49~~ and multiplied by actual ~~CSW-Aging~~ waiver LOS to get fiscal year 201~~52~~1 base estimate ~~and the increased by 2% to get Waiver year one (fiscal year 2016)~~
- ~~Each subsequent year was increased 2%~~
- The cost of prescription drugs is excluded from this estimate. All pharmacy claims are assigned a specific category of service in the State's MMIS and explicitly removed from data queries used to calculate these figures.

**Component management for waiver services.** If the service(s) below includes two or more discrete services that are reimbursed separately, or is a bundled service, each component of the service must be listed. Select “*manage components*” to add these components.

Waiver Services	
	<u>manage components</u>
	<u>manage components</u>
	<u>manage components</u>
	<u>manage components</u>
	<u>manage components</u>
	<u>manage components</u>

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**d. Estimate of Factor D.** *Select one:* Note: Selection below is new.

<input type="radio"/>	The waiver does not operate concurrently with a §1915(b) waiver. Complete Item J-2-d-i
<input type="radio"/>	The waiver operates concurrently with a §1915(b) waiver. Complete Item J-2-d-ii

**i. Estimate of Factor D – Non-Concurrent Waiver.** Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 1					
Waiver Service / Component	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5
	Unit	# Users	Avg. Units Per User	Avg. Cost/Unit	Total Cost
Adult Companion services	15 Min	254	555	\$5.15	\$725,995.50
Adult Day Health	Daily	26	99	\$42.42	\$109,189.08
Case Management	15 Min	545	62	\$21.70	\$733,243.00
Chore Services	Each	39	10	\$100.98	\$39,382.20
Community Transition Services	Each	2	1	\$308.12	\$616.24
Enhanced State Plan Supportive Maintenance Home Health Aide Services	Visit	10	151	\$49.43	\$74,639.30
Environmental accessibility adaptations	Each	57	4	\$305.71	\$69,701.88
Financial Management Services	Month	119	9	\$95.24	\$102,002.04
Homemaker	15 Min	372	552	\$5.45	\$1,119,124.80
Medication reminder system	Each	41	8	\$71.25	\$23,370.00
Personal Attendant Services - Agency employed	15 Min	3	4528	\$4.75	\$64,524.00
Personal Attendant Services - Participant employed	15 Min	117	2769	\$4.31	\$1,396,323.63
Personal Attendant Training Services	15 Min	1	10	\$6.63	\$66.30
Personal Budget Assistance	15 Min	16	102	\$5.27	\$8,600.64
Personal Emergency Response Systems Installation, Testing, and Removal	Each	69	1	\$93.57	\$6,456.33
Personal Emergency Response Systems Purchase, Rental, and Repair	Each	10	1	\$34.10	\$341.00
Personal Emergency Response Systems Response Center Service	Month	329	9	\$24.96	\$73,906.56
Respite	15 Min	37	868	\$5.25	\$168,609.00
Respite care services - LTC facility	Daily	14	18	\$194.98	\$49,134.96
Specialized Medical Equipment/Supplies/Assistive Technology	Each	223	16	\$20.88	\$74,499.84
Supplemental Meals - Home	Each	307	186	\$7.29	\$416,273.58
Transportation Services (Non-Medical)	Trip	138	103	\$13.93	\$198,001.02

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Waiver Year: Year 1					
Waiver Service / Component	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5
	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Total Cost
GRAND TOTAL:					\$5,454,000.90
TOTAL ESTIMATED UNDUPLICATED PARTICIPANTS (from Table J-2-a)					550
FACTOR D (Divide grand total by number of participants)					\$9,916.37
AVERAGE LENGTH OF STAY ON THE WAIVER					289

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Waiver Year: Year 2					
Waiver Service / Component	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5
	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Total Cost
Adult Companion services	15 Min	254	555	\$5.15	\$725,995.50
Adult Day Health	Daily	26	99	\$42.42	\$109,189.08
Case Management	15 Min	545	62	\$21.70	\$733,243.00
Chore Services	Each	39	10	\$100.98	\$39,382.20
Community Transition Services	Each	2	1	\$308.12	\$616.24
Enhanced State Plan Supportive Maintenance Home Health Aide Services	Visit	10	151	\$49.43	\$74,639.30
Environmental accessibility adaptations	Each	57	4	\$305.71	\$69,701.88
Financial Management Services	Month	119	9	\$95.24	\$102,002.04
Homemaker	15 Min	372	552	\$5.45	\$1,119,124.80
Medication reminder system	Each	41	8	\$71.25	\$23,370.00
Personal Attendant Services - Agency employed	15 Min	3	4528	\$4.75	\$64,524.00
Personal Attendant Services - Participant employed	15 Min	117	2769	\$4.31	\$1,396,323.63
Personal Attendant Training Services	15 Min	1	10	\$6.63	\$66.30
Personal Budget Assistance	15 Min	16	102	\$5.27	\$8,600.64
Personal Emergency Response Systems Installation, Testing, and Removal	Each	69	1	\$93.57	\$6,456.33
Personal Emergency Response Systems Purchase, Rental, and Repair	Each	10	1	\$34.10	\$341.00
Personal Emergency Response Systems Response Center Service	Month	329	9	\$24.96	\$73,906.56
Respite	15 Min	37	868	\$5.25	\$168,609.00
Respite care services - LTC facility	Daily	14	18	\$194.98	\$49,134.96
Specialized Medical Equipment/Supplies/Assistive Technology	Each	223	16	\$20.88	\$74,499.84
Supplemental Meals - Home	Each	307	186	\$7.29	\$416,273.58
Transportation Services (Non-Medical)	Trip	138	103	\$13.93	\$198,001.02
GRAND TOTAL:					\$5,454,000.90
TOTAL ESTIMATED UNDUPLICATED PARTICIPANTS (from Table J-2-a)					550
FACTOR D (Divide grand total by number of participants)					\$9,916.37
AVERAGE LENGTH OF STAY ON THE WAIVER					289

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Waiver Year: Year 3					
Waiver Service / Component	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5
	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Total Cost
Adult Companion services	15 Min	254	555	\$5.15	\$725,995.50
Adult Day Health	Daily	26	99	\$42.42	\$109,189.08
Case Management	15 Min	545	62	\$21.70	\$733,243.00
Chore Services	Each	39	10	\$100.98	\$39,382.20
Community Transition Services	Each	2	1	\$308.12	\$616.24
Enhanced State Plan Supportive Maintenance Home Health Aide Services	Visit	10	151	\$49.43	\$74,639.30
Environmental accessibility adaptations	Each	57	4	\$305.71	\$69,701.88
Financial Management Services	Month	119	9	\$95.24	\$102,002.04
Homemaker	15 Min	372	552	\$5.45	\$1,119,124.80
Medication reminder system	Each	41	8	\$71.25	\$23,370.00
Personal Attendant Services - Agency employed	15 Min	3	4528	\$4.75	\$64,524.00
Personal Attendant Services - Participant employed	15 Min	117	2769	\$4.31	\$1,396,323.63
Personal Attendant Training Services	15 Min	1	10	\$6.63	\$66.30
Personal Budget Assistance	15 Min	16	102	\$5.27	\$8,600.64
Personal Emergency Response Systems Installation, Testing, and Removal	Each	69	1	\$93.57	\$6,456.33
Personal Emergency Response Systems Purchase, Rental, and Repair	Each	10	1	\$34.10	\$341.00
Personal Emergency Response Systems Response Center Service	Month	329	9	\$24.96	\$73,906.56
Respite	15 Min	37	868	\$5.25	\$168,609.00
Respite care services - LTC facility	Daily	14	18	\$194.98	\$49,134.96
Specialized Medical Equipment/Supplies/Assistive Technology	Each	223	16	\$20.88	\$74,499.84
Supplemental Meals - Home	Each	307	186	\$7.29	\$416,273.58
Transportation Services (Non-Medical)	Trip	138	103	\$13.93	\$198,001.02
GRAND TOTAL:					\$5,454,000.90
TOTAL ESTIMATED UNDUPLICATED PARTICIPANTS (from Table J-2-a)					550
FACTOR D (Divide grand total by number of participants)					\$9,916.37
AVERAGE LENGTH OF STAY ON THE WAIVER					289

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<b>Waiver Year: Year 4 (only appears if applicable based on Item 1-C)</b>					
<b>Waiver Service / Component</b>	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5
	<b>Unit</b>	<b># Users</b>	<b>Avg. Units Per User</b>	<b>Avg. Cost/ Unit</b>	<b>Total Cost</b>
Adult Companion services	15 Min	254	555	\$5.15	\$725,995.50
Adult Day Health	Daily	26	99	\$42.42	\$109,189.08
Case Management	15 Min	545	62	\$21.70	\$733,243.00
Chore Services	Each	39	10	\$100.98	\$39,382.20
Community Transition Services	Each	2	1	\$308.12	\$616.24
Enhanced State Plan Supportive Maintenance Home Health Aide Services	Visit	10	151	\$49.43	\$74,639.30
Environmental accessibility adaptations	Each	57	4	\$305.71	\$69,701.88
Financial Management Services	Month	119	9	\$95.24	\$102,002.04
Homemaker	15 Min	372	552	\$5.45	\$1,119,124.80
Medication reminder system	Each	41	8	\$71.25	\$23,370.00
Personal Attendant Services - Agency employed	15 Min	3	4528	\$4.75	\$64,524.00
Personal Attendant Services - Participant employed	15 Min	117	2769	\$4.31	\$1,396,323.63
Personal Attendant Training Services	15 Min	1	10	\$6.63	\$66.30
Personal Budget Assistance	15 Min	16	102	\$5.27	\$8,600.64
Personal Emergency Response Systems Installation, Testing, and Removal	Each	69	1	\$93.57	\$6,456.33
Personal Emergency Response Systems Purchase, Rental, and Repair	Each	10	1	\$34.10	\$341.00
Personal Emergency Response Systems Response Center Service	Month	329	9	\$24.96	\$73,906.56
Respite	15 Min	37	868	\$5.25	\$168,609.00
Respite care services - LTC facility	Daily	14	18	\$194.98	\$49,134.96
Specialized Medical Equipment/Supplies/Assistive Technology	Each	223	16	\$20.88	\$74,499.84
Supplemental Meals - Home	Each	307	186	\$7.29	\$416,273.58
Transportation Services (Non-Medical)	Trip	138	103	\$13.93	\$198,001.02
<b>GRAND TOTAL:</b>					\$5,454,000.90
<b>TOTAL ESTIMATED UNDUPLICATED PARTICIPANTS (from Table J-2-a)</b>					550
<b>FACTOR D (Divide grand total by number of participants)</b>					\$9,916.37
<b>AVERAGE LENGTH OF STAY ON THE WAIVER</b>					289

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<b>Waiver Year: Year 5 (only appears if applicable based on Item 1-C)</b>					
<b>Waiver Service / Component</b>	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5
	<b>Unit</b>	<b># Users</b>	<b>Avg. Units Per User</b>	<b>Avg. Cost/ Unit</b>	<b>Total Cost</b>
Adult Companion services	15 Min	254	555	\$5.15	\$725,995.50
Adult Day Health	Daily	26	99	\$42.42	\$109,189.08
Case Management	15 Min	545	62	\$21.70	\$733,243.00
Chore Services	Each	39	10	\$100.98	\$39,382.20
Community Transition Services	Each	2	1	\$308.12	\$616.24
Enhanced State Plan Supportive Maintenance Home Health Aide Services	Visit	10	151	\$49.43	\$74,639.30
Environmental accessibility adaptations	Each	57	4	\$305.71	\$69,701.88
Financial Management Services	Month	119	9	\$95.24	\$102,002.04
Homemaker	15 Min	372	552	\$5.45	\$1,119,124.80
Medication reminder system	Each	41	8	\$71.25	\$23,370.00
Personal Attendant Services - Agency employed	15 Min	3	4528	\$4.75	\$64,524.00
Personal Attendant Services - Participant employed	15 Min	117	2769	\$4.31	\$1,396,323.63
Personal Attendant Training Services	15 Min	1	10	\$6.63	\$66.30
Personal Budget Assistance	15 Min	16	102	\$5.27	\$8,600.64
Personal Emergency Response Systems Installation, Testing, and Removal	Each	69	1	\$93.57	\$6,456.33
Personal Emergency Response Systems Purchase, Rental, and Repair	Each	10	1	\$34.10	\$341.00
Personal Emergency Response Systems Response Center Service	Month	329	9	\$24.96	\$73,906.56
Respite	15 Min	37	868	\$5.25	\$168,609.00
Respite care services - LTC facility	Daily	14	18	\$194.98	\$49,134.96
Specialized Medical Equipment/Supplies/Assistive Technology	Each	223	16	\$20.88	\$74,499.84
Supplemental Meals - Home	Each	307	186	\$7.29	\$416,273.58
Transportation Services (Non-Medical)	Trip	138	103	\$13.93	\$198,001.02
<b>GRAND TOTAL:</b>					\$5,454,000.90
<b>TOTAL ESTIMATED UNDUPLICATED PARTICIPANTS (from Table J-2-a)</b>					550
<b>FACTOR D (Divide grand total by number of participants)</b>					\$9,916.37
<b>AVERAGE LENGTH OF STAY ON THE WAIVER</b>					289

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- ii. **Estimate of Factor D – Concurrent §1915(b)/§1915(c) Waivers, or other authorities utilizing capitated arrangements (i.e., 1915(a), 1932(a), Section 1937).** Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. If applicable, check the capitation box next to that service. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 1						
Waiver Service / Component	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	Check if included in capitation	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Total Cost
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
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	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
GRAND TOTAL:						
Total: Services included in capitation						
Total: Services not included in capitation						
TOTAL ESTIMATED UNDUPLICATED PARTICIPANTS (from Table J-2-a)						
FACTOR D (Divide grand total by number of participants)						
Services included in capitation						
Services not included in capitation						
AVERAGE LENGTH OF STAY ON THE WAIVER						

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Waiver Year: Year 2						
Waiver Service / Component	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	Check if included in capitation	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Total Cost
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
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	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
GRAND TOTAL:						
Total: Services included in capitation						
Total: Services not included in capitation						
TOTAL ESTIMATED UNDUPLICATED PARTICIPANTS (from Table J-2-a)						
FACTOR D (Divide grand total by number of participants)						
Services included in capitation						
Services not included in capitation						
AVERAGE LENGTH OF STAY ON THE WAIVER						

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Waiver Year: Year 3						
Waiver Service / Component	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	Check if included in capitation	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Total Cost
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
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	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
GRAND TOTAL:						
Total: Services included in capitation						
Total: Services not included in capitation						
TOTAL ESTIMATED UNDUPLICATED PARTICIPANTS (from Table J-2-a)						
FACTOR D (Divide grand total by number of participants)						
Services included in capitation						
Services not included in capitation						
AVERAGE LENGTH OF STAY ON THE WAIVER						

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Waiver Year: Year 5 (only appears if applicable based on Item 1-C)						
Waiver Service / Component	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	Check if included in capitation	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Total Cost
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
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	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					
GRAND TOTAL:						
Total: Services included in capitation						
Total: Services not included in capitation						
TOTAL ESTIMATED UNDUPLICATED PARTICIPANTS (from Table J-2-a)						
FACTOR D (Divide grand total by number of participants)						
Services included in capitation						
Services not included in capitation						
AVERAGE LENGTH OF STAY ON THE WAIVER						

State:	
Effective Date	